



Coronavirus Ad Hoc Committee
July 12, 2021 –3:00 PM
Zoom Meeting

Yvonne McBride	Paul Livingston	Joe Walker	Gretchen Barron, Chair	Chakisse Newton
District 3	District 4	District 6	District 7	District 10

1. **Call to Order**
2. **Approval of Minutes: June 9, 2021 [PAGES 2-8]**
3. **Adoption of Agenda**
4. **Emergency Rental Assistance Program (1) Update**
5. **Emergency Rental Assistance Program (2) [PAGES 9-53]**
6. **American Rescue Plan Initial Proposal for the United States Treasury [PAGES 54-79]**
7. **Adjournment**



Richland County
 Coronavirus Ad Hoc Committee
 June 9, 2021 – 4:00 PM
 Zoom Meeting
 2020 Hampton Street, Columbia, SC 29204

Yvonne McBride	Paul Livingston	Gretchen Barron, Chair	Joe Walker	Chakisse Newton
District 3	District 4	District 7	District 6	District 10

Committee Members Present: Gretchen Barron, Chair; Yvonne McBride, Paul Livingston, and Chakisse Newton

Others Present: Bill Malinowski, Allison Terracio, Jesica Mackey, Cheryl English, Michelle Onley, Angela Weathersby, Kyle Holsclaw, Tamar Black, Ashiya Myers, Leonardo Brown, Denise Teasdell, James Hayes, Lori Thomas, Mike King, Randy Pruitt, Ronaldo Myers, Zachary Cavanaugh, Michael Byrd, Katie Marr, Jennifer Wladischkin, Brittney Hoyle-Terry and Michael Maloney

1. **Call to Order** – Ms. Barron called the meeting to order at approximately 4:00 PM.
2. **Approval of Minutes: May 24, 2021** – Ms. McBride moved, seconded by Ms. Barron, to approve the minutes as distributed.

In Favor: McBride, Barron

Not Present: Livingston, J. Walker

Abstained: Newton

The vote in favor was unanimous.

3. **Adoption of Agenda** – Ms. McBride moved, seconded by Ms. Newton, to adopt the agenda as published.

In Favor: McBride, Livingston, Barron and Newton

Not Present: J. Walker

The vote in favor was unanimous.

4. **Items for Action** –

- a. **Essential Workers Pay** – Mr. Brown stated he wanted to share information with the committee and receive feedback, in order to prepare a recommendation, based on that input. The Essential Worker’s Pay, under the American Rescue Plan, is an applicable usage of those funds. In an effort to capture those essential workers throughout Richland County, as well as workers who may not be routinely thought of as essential in terms of their services, but during the pandemic their work was essential for County operations to continue to respond and mitigate

COVID-19. He noted they have reached out to departments to make sure the criteria was met, and individuals were able to continue to work at their workstations throughout a substantial portion of the pandemic. This would preclude individuals who were largely working remotely. They are trying to figure out whether or not it was going to be a one-size fits all scenario. For example, EMS routinely responded to calls and put on protective gear while potentially exposing themselves to COVID-19. Let's also consider, for example, the Finance Department may not have had to physically go out and put themselves in known exposure areas of COVID-19, but employees did have to report to work in order to make sure the financial dealings of the County (i.e. payroll) were handled. They are talking about making a recommendation to the committee, and ultimately Council, to provide a one-time stipend for these workers. The question is should they treat them in a tiered approach, and how they would provide a stipend. With the EMS example, they would recommend those workers get the same amount versus a worker who had to come into work because they could not work remotely and potentially could have been exposed to COVID-19.

Ms. Newton inquired if the federal guidelines about the stipend been finalized, and what qualifies under the criteria.

Mr. Brown responded the guidelines for essential works are pretty solid. The guidance communicated there were certain sectors identified where there was a need for services to continue and workers had to provide those services. That particular section of the "ARP" is solid and we feel confident we can make a recommendation and be within the guidelines before the Federal Government gave their final guidance.

Ms. Newton noted this was a wonderful opportunity to recognize our employees. She likes the idea we are expanding what an essential worker is. We want to reward the EMS workers who took on a yeoman's task to do the work. At the same time, she knows the IT Department was burning candles at both ends to ensure the County could continue to do County functions.

Mr. Livingston stated he was not clear on how they would set the criteria for different categories if we do not want to do a one-size fits all.

Mr. Brown stated that was something they were working through. He wanted to hear from other minds. Administration is trying to make sure there is equity in what they do and not take something intended for good and offend people because they do not feel the County appropriately recognized them. Earlier on in the pandemic, when employees had to quarantine for 14-days, we had to call Operational Services staff to come in, deep clean, and electrostatic spray the areas where we believe there is suspected COVID-19 exposure. Those individuals are not routinely considered essential works, but during the pandemic they became essential workers. The question becomes would we treat Operational Services the same as we would the Alvin S. Glenn Detention Center, EMS, Sheriff's Department, or the Coroner's Office. S, or Patrol, or the Coroner's office? It is not an easy answer.

Ms. McBride stated she believes workers that were actually exposed to a high risk of contact with COVID-19 were essential workers. (i.e. EMS, Detention Center and Operational Services). The professional staff that had to come in were not at a high risk of contact, so she is concerned with them being categorized as essential workers. The employees still got paid their regular salary. She has a problem with an across the board incentive pay. There were those who were at home who may have wanted to come into work, but were told to stay home, will not receive incentive pay. We need to identify those essential workers who were at a high risk of exposure to COVID-19 first.

Mr. Brown noted, based on conversations with various officials, the employees view themselves as being put in a position to carry out functions of the County during a time when their health was put at risk. If they stopped working, the County would not be able to fulfill its obligations to the citizens.

Ms. McBride stated that was true, but they were hired to perform the tasks and responsibilities on behalf of the County.

Ms. Barron stated she spoke with Mr. Brown about the essential workers, and what that defines. She noted, professional workers reported to work every day while everyone else was working remotely, so they placed themselves at risk in order for the business of the County to continue. She requested the committee to be open to non-traditional essential workers and to look at how this pandemic has changed how we do business and how those individuals we did not see as frontline workers became those individuals for us during this time.

Mr. Malinowski inquired if this was strictly for County employees or would it also extend to contract workers for the County.

Mr. Brown responded, his understanding is, it is both direct and indirect employees.

Ms. McBride suggested having different categories, and to look at the different categories to determine the stipends.

Ms. Barron stated the purpose of this conversation was to merely flush out some things. She noted Administration is working to provide more structure as far as regulations and the tiered approach.

Ms. Mackey noted she is in favor of a tiered approach.

Mr. Brown stated he appreciated the conversation. There are a lot of individuals interested in the way the County addresses this particular opportunity. In conversations with staff, one of the things he addressed were questions about hazard pay. One of the reasons why the County did not provide hazard pay earlier was because of the guidelines. For the County to be reimbursed, you had to have a hazard pay policy you utilize, in the event a hazard is being mitigated, and the County does not have such a policy. The County will be looking into instituting a hazard policy that would help provide future guidelines, so we will not find ourselves in this position in the future.

Ms. McBride stated, if the County does hazard pay, we should take into consideration how we determine the pay, based on the salaries, as many of the essential workers have low salaries.

- b. Reopening Plan – Mr. Brown noted what is the packet is largely the confines we were working under throughout the pandemic. Some of the guidance from the federal government, CDC and local providers has changed. The committee has a draft of what they used to begin to provide a safe environment for the employees to work in during the pandemic and to try to give them some guidance on what we thought would happen over time. As we look at coming back into the workspace, and take from what we have learned and the updates from the CDC and OSHA, we are going to update this document to reflect something that can be a living document which can be applied in the future. He noted they would listen to any comments or feedback on what should be included as a part of the living document going forward.

Ms. Barron stated, for clarification, the documents in the packet are the current document we are currently working from, and when we are fully operational on July 1st.

Mr. Brown responded they will update the document to reflect current guidance, and structure the language so that it will be a living document. Some of the constraints will be used in the foreseeable future, such as screening protocols, temperature checks, social distancing and partitions.

Ms. Barron inquired about a date for final document review.

Mr. Brown responded he could have a completed document for Council to review by the end of next week.

Ms. Newton inquired about where the 25% maximum occupancy capacity for a facility came from and if it would be applied on July 1st.

Mr. Brown responded, at the time the document was created, there were guidelines on capacity from the federal level, and recommended capacity from the state level. As of July 1st, the only time they would be talking about specified capacity limits would be while in Council Chambers because it is an enclosed space. There would not be a general capacity limit for access to County facilities effective July 1st.

Ms. Newton inquired if telecommuting and staggered shifts would go away since we are opening up to full capacity.

Mr. Brown responded it would go away as a blanket rule. There are individuals who have high risk conditions, and according to CDC guidelines and ADA accommodations, those things should be taken into consideration on a case-by-case basis and not dealt with from a blanket perspective.

Ms. Newton requested an overview of the re-opening plan.

Mr. Brown responded anyone that walks into the building(s) on July 1st will be asked to be screened, and if unvaccinated to continue to wear a mask. The County will not be doing vaccination card screening, but will be following CDC guidance to ask unvaccinated persons not to congregate unmasked with other people in confined spaces. There will be signage communicating these guidelines.

Ms. Newton inquired if p. 15 of the agenda represents the re-opening plan for July 1st.

Mr. Brown responded we are at the phases of the plan that allows us to move forward with our re-opening. In those openings, you still have mitigation strategies in place. The document does not include vaccinations, but it includes the downward trend of COVID-19 in the community if it meets those criteria. They will be updating information that reflects we are still asking people to wear masks. For example, employees that interact with the persons who might not be vaccinated will be asked to wear a mask when in a confined space. We will still be communicating that if you are not vaccinated you are supposed to have a mask on for public health purposes. He noted they do not plan to require employees to be vaccinated as a condition of their employment.

- 1) In-Person Council Meetings – Ms. Barron stated the County buildings will be re-opening on July 1st, and the first in-person Council meeting will be July 13th.

Mr. Brown stated we will be requesting individuals coming into Council Chambers because of the enclosed space, and the length of time we spend in that space, to wear masks. We do not know who is vaccinated, so this will be a way to mitigate the continued spread of COVID-19 amongst those participants in the meeting. Council Chambers can hold 141 people. We may want to consider limiting capacity by 50% (70 persons) during a Council meeting. He noted that less than 43% of Richland County is vaccinated, so one out of every two people coming into Chambers could potentially be unvaccinated. Until DHEC or the CDC provides new guidance on the mitigation of COVID-19, based on vaccination or other tools, then we monitor the percent vaccinated to determine participation in Council Chambers. Councilmembers will have partitions that will cover the front and both sides so they are protected from individuals speaking to and around them. Staff sitting in front of them, and the podiums will have a similar set up, so that anytime people are addressing Council they will have a protective barrier. He noted the 4th Floor Conference Room has been used for committee meetings, and they are going to get portable stations to provide the same protection for all the participants. They are working with IT to allow individuals who cannot come into Chambers to be able to access the meetings remotely to participate via Zoom. The County is getting new equipment that will allow us to have off-site meetings and to stream the meetings so individuals can have participate.

Ms. Mackey inquired about Executive Session.

Mr. Brown responded he would recommend Council exit the Chambers and use the 4th Floor Conference Room with security staff outside the room for privacy.

Ms. Mackey inquired if there were any recommendations related to public comments, if we are offering streaming and in-person attendance, will that change how constituents submit comments.

Mr. Brown responded, if individuals want to participate and speak to Council, they will have the opportunity to do so in-person. They would also have the opportunity to have their comments submitted through the medium we are using now. He stated he would welcome input and/or recommendations from Council.

Ms. Barron stated she agreed Zoom has allowed us to engage at another level, and to encourage us to expand on the technology services to serve the citizens.

Mr. Malinowski inquired if other entities would be allowed to use Chambers knowing it would cause additional work for staff to disinfect between meetings.

Mr. Brown responded as long as we coordinated the meetings and limit the use of Chambers on dates Council meetings are held.

c. Program Updates

- 1) Relief Funds – Mr. Brown stated all guidance has not been rendered. They believe that some areas have been identified where we want to Council to weigh in, so when we get final guidance things that are eligible and applicable can be addressed. He has received questions concerning how the County can use funds for sewer, water, and current facilities' infrastructure needs that would be applicable to "ARP" funding. We are trying to vet this process to see what we can use. He noted, under some of the lump sum appropriation groups Council has considered for FY22, we believe we will

have an opportunity to utilize that funding which would increase flexibility of the General Fund. The committee was requested to move to use available COVID-19 preparation, mitigation, response and recovery financial resources to fund FY22 Council approved lump sum appropriation groups where eligible and applicable.

Mr. Livingston stated he wants to ensure those lump sums were prioritized so they will not have to come back next year without the rescue funds. There are some one year requests, so if we do those first we will be better off in future years.

Mr. Brown responded this would be specifically for FY22.

Mr. Livingston stated he wanted to ensure that is clear. He noted it would be easier for the entities to come back next year and request funding.

Mr. Brown stated, for clarification, Mr. Livingston was referring to groups who have requested multi-year funding and them thinking they would automatically receive funding for FY23.

Ms. Barron inquired if the individuals and organizations that were not approved in the FY22 budget would have an opportunity to seek these funds.

Mr. Brown responded staff plans to come back to Council with recommendations, based on the "ARP" guidelines, for the groups that are eligible. Council would determine if they want to fund any of the groups. Based on Council's decision, staff would go back to the eligible groups to notify them Council is interested in providing funding, and request supporting documentation.

Ms. McBride stated she was concerned about approving groups during the budget process, when they can get federal funding in lieu of County funds.

Mr. Brown responded they were limiting this to what Council has approved.

Ms. Terracio inquired if there could be a mechanism by which we know there is an entity we want to fund, but the best way to fund them would be through "ARP" funds.

Mr. Brown responded, if there is a group Council members are looking at funding, he would suggest they run them through the prism of the criteria. We will then be able to share whether Administration believes those groups are applicable.

Ms. Terracio stated, for clarification, if Council members feel an entity could be funded through "ARP", the Council member could submit a request to staff for vetting.

Mr. Brown responded in the affirmative.

Ms. McBride stated she was concerned with how we are spending the "ARP" funds. She does not want staff to come up with the recommendations to submit to Council. She believes there needs to be a planning process, in terms of the priorities, based on the guidelines in determining how we are going to use the funds and active input.

Mr. Brown noted there were some steps the County would want to take in using the funds, which will require public input.

Mr. Livingston stated he wanted to see some broad categories, such as food insecurity, trauma, mental health, etc., and prioritize the needs.

Mr. Brown inquired if the categories should be come from staff.

Mr. Livingston responded Council should think of some broad categories for staff could review.

Ms. Terracio inquired about holding work sessions with the stakeholders being brought to the table.

Mr. Brown responded it might be part of it, but for a larger context, it would be better to get greater clarity from Ms. McBride's perspective.

Ms. McBride stated we need more stakeholder involvement in the process, similar to what we did with the flood. Council will make the final decision, in conjunction with Administration. She requested the guidelines on the funding.

Ms. Barron stated the Association of Counties sent out a briefing document about some of the guidelines, and they are hosting work sessions to give updates.

2) ERAP – Ms. Barron noted this was discussed at a previous meeting.

3) FEMA – Mr. Brown stated the FEMA coordination part at the site has ended. DHEC has continued to administer the second doses. The final numbers, as of June 8th, were 21,295, with 17,392 or 81.67% were Richland County residents.

Ms. Barron stated she wanted to do a press release or social media post to encapsulate the FEMA project, so the community knows the great things Richland County was able to accomplish by partnering with FEMA and DHEC.

Ms. McBride inquired if there are going to be efforts to vaccinate citizens in high-risk areas that are not being vaccinated. In addition, she inquired about the type of outreach in these areas.

Mr. Brown responded the County is willing to partner with anyone. There had been some messaging with some of our partners that said they would be going into the targeted areas and utilizing mobile sites. He noted the County would have to partner with someone because the County does not administer shots.

5. **Adjournment** – The meeting adjourned at approximately 5:31PM.

ATTENTION					
COUNTY ADMINISTRATOR		ASSISTANT COUNTY ADMINISTRATOR		NAME:	
REQUESTOR INFORMATION					
Name				Extension	
Department					
Date					
Department Director Review:					
DOCUMENT INFORMATION					
Document Title					
		For Information Only		For Signature	
Synopsis					
1. Is this a contract and/or a contract amendment?				Yes	No
2. Has the contract been reviewed by the County Attorney's Office?				Yes	No
<i>If you answered no, all contracts must be reviewed by the County Attorney's office. Do not submit your document until after review.</i>					
3. Has the contract/amendment been reviewed and approved by Council?				Yes	No
<i>If you answered no, provide an explanation below. Cite/attach relevant County ordinance, procurement code, and/or contract terms.</i>					
Explanation					
Related Council Action					
Meeting Date		Synopsis of Action		Minutes Approved	
ADMINISTRATION					
Comments					
Signature				Date	

Richland County

COVID-19 EMERGENCY RENTAL ASSISTANCE 2

POLICIES AND PROCEDURES

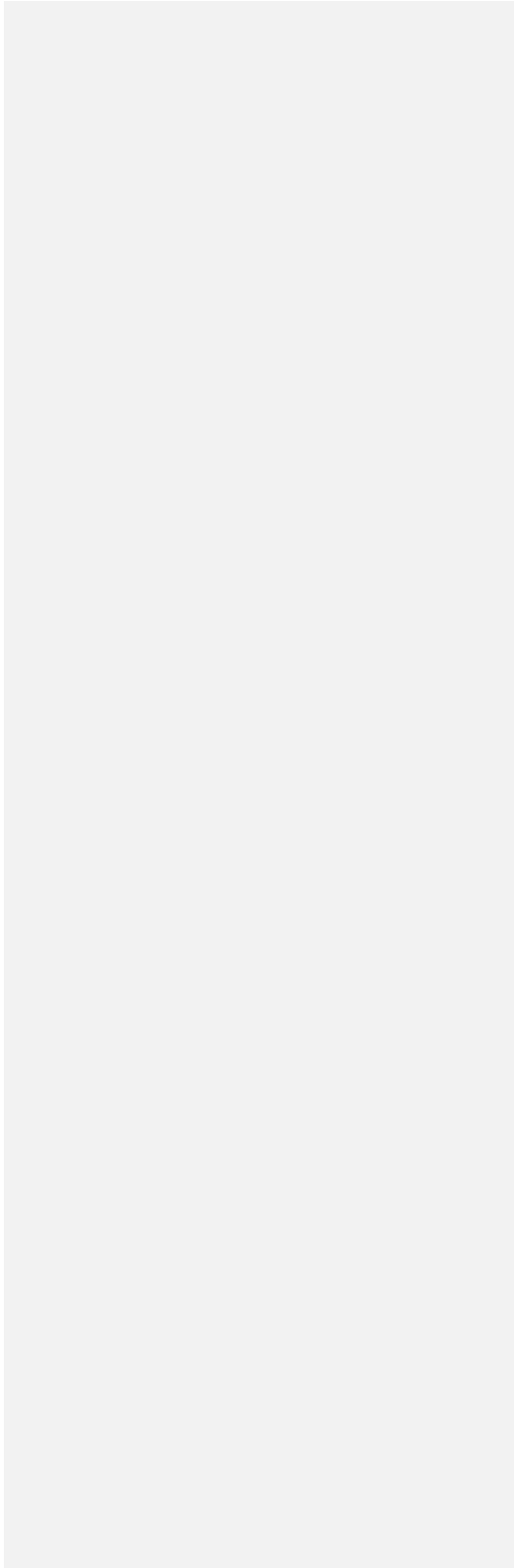


Richland County Emergency Relocation Assistance Program
Community Planning & Development
2020 Hampton Rd
Columbia, South Carolina 29204
Telephone (803) 576-2168
www.richlandcountysc.gov
Revised: 076-09-218-2021

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General Provisions

This manual provides the policies and procedures of Richland County in its administration of the COVID-19 Emergency Rental Assistance ~~program 2 (ERA2) established by section 3201 funded of through~~ the American Rescue Plan (ARP) ~~Consolidated Appropriations Act of 2021, (CAA), 2021, Pub. L. No. 117-6-2 (March 11, 2021) 260.~~ This document provides standard concepts, definitions and procedures that enable staff to understand and effectively administer the ERA2 program. This manual is designed as a tool for staff to use as a reference and resource. This manual will be updated as needed to reflect changes in policies and procedures as well as new Treasury regulations, ~~notices~~notices, and other guidance.

The ERA2 program makes available not less than 40 percent of the total allocation of \$942,948,573,859.60547.40 in ERA2 funds provided directly to Richland County through the ARPCAA and administered by the U.S. Treasury. Treasury will pay to Richland County additional amounts in tranches up to the full amount of the County's total allocation in accordance with a procedure established by Treasury, provided that Richland County must have obligated not less than 75 percent of the funds already disbursed by Treasury prior to the disbursement of additional amounts. These funds are to assist households that are unable to pay rent and/or utilities due to the COVID-19 pandemic. Through an application process Richland County will offer aid to income eligible households located within the geographical boundaries of the county who have been economically impacted during the COVID-19 pandemic through job loss, furlough or reduction in hours or pay.

ERA2 is a grant program wherein rental or utility payments are made on behalf of an income-eligible household ~~for a maximum period of 182 months (with an additional 3 months possible) of assistance under ERA1 and ERA2 combined~~ to maintain housing and/or to reduce rental and utility payment delinquency in arrears as a result of the economic downturn during the COVID-19 pandemic.

Emergency assistance will be available for monthly rent payments, ~~utility payments,~~ rental arrearages, ~~and utility and home energy cost~~ arrearages, and certain other expenses. At least ~~85~~90% of the ERA funds received by Richland County will be used for these purposes. The remaining funds will be used for housing stability services, including case management or other services related to the COVID-19 pandemic, and the administration of the program.

Given the challenges presented by the COVID-19 pandemic, the U.S Treasury has granted the County flexibility as to the particular form of documentation required, including permitting photocopies or digital photographs of documents, e-mails, or attestations from employers, landlords, caseworkers, or others with knowledge of the household's circumstances. The County must require all applications for assistance to include an attestation from the applicant that all information included is correct and complete.

Available Assistance

Type of Assistance

Richland County is providing ERA grants to eligible households through an application process. The funding provided will assist with the following:

- a. Rent;
- b. Rental arrears;
- ~~c. Utilities and home energy costs;~~
- d. Utilities and home energy arrears; and

e.d Other expenses related to housing incurred directly or indirectly due to the pandemic

ARP Act requires that other expenses must be related to housing but does not require that they be incurred due to the COVID-19 outbreak. Other expenses related to housing include relocation expenses (including prospective relocation expenses), such as rental security deposits, and rental fees, which may include application or screening fees. It can also include reasonable accrued late fees (if not included in rental or utility arrears) and internet service provided to the rental unit. Internet service provided to a residence is related to housing and is in many cases a vital service that allows renters to engage in distance learning, telework, and telemedicine and to obtain government services such as access to the ERA2 program.

All payments for housing-related expenses must be supported by documentary evidence such as a bill, invoice, or evidence of payment to the provider of the service. If a housing related expense is included in a bundle or an invoice that is not itemized (for example, internet services bundled together with telephone and cable television services) and obtaining an itemized invoice would be unduly burdensome, the County may apply reasonable procedures for determining the portion of the expense that is appropriate to be covered by ERA2. The Act requires that other expenses must be related to housing and be incurred due directly or indirectly due to COVID-19. Such expenses include relocation expenses and rental fees which may include rental security deposits, rental fees (which may include application or screening fees if a household has been temporarily or permanently displaced due to the COVID-19 outbreak; reasonable accrued late fees (if not included in rental or utility arrears and if incurred due to COVID-19); and Internet service provided to the rental unit. For internet services to qualify, the applicant must request internet services to be eligible and must attest that the internet service provided to their residence is related to housing and is being used to engage in distance learning, telework, telemedicine or to obtain government services. All payments for housing related expenses must be supported by documentary evidence such as a bill, invoice, or evidence of payment to the provider of the service.

Utilities and home energy costs are separately stated charges related to the occupancy of rental property. Accordingly, utilities include separately stated electricity, gas, water and sewer, trash removal and energy costs, such as fuel oil. Telecommunication services (telephone and cable) delivered to the rental dwelling are not considered to be utilities. Utilities that are covered by the landlord within rent will be treated as rent.

The cost of a hotel or motel room occupied by an eligible household may be covered using ERA2 assistance within the category of “other expenses related to housing incurred due, directly or indirectly, to the COVID-19 outbreak” provided that:

- a. The household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere;
- b. The total months of assistance provided to the household do not exceed 12 months (plus an additional three months if necessary to ensure housing stability for the household); and
- c. Documentation of the hotel or motel stay is provided and the other applicable requirements provided in the statute and the currentse FAQs are met.

The cost of the hotel or motel stay would not include expenses incidental to the charge for the room.

In addition, financial assistance to households that are renting their residence under a “rent-to-own” agreement, under which the renter has the option (or obligation) to purchase the property at the end of the lease term, provided that a member of his or her household:

- a. Is not a signor or co-signor to the mortgage on the property;
- b. Does not hold the deed or title to the property; and
- c. Has not exercised the option to purchase.

Rental payments for either the manufactured home and/or the parcel of land the manufactured home occupies are eligible for financial assistance under ERA2P. Households renting manufactured housing and/or the parcel of land the manufactured home occupies may also receive assistance for utilities and other expenses related to housing

Program administrators shall determine the duration and amount of rental assistance provided to eligible households based on application information, monthly rent and utilities due, and amount in arrears. This duration and assistance amount will be designed to ensure households are provided with the maximum benefit possible. Prospective rent assistance will be provided up to a maximum of 3 months at a time, before recertification of income and/or reapplication is required, for a period not to exceed ~~182 months of assistance under ERA1 and ERA2 combined~~ *except that the County may provide assistance for an additional 3 months only if necessary to ensure housing stability for a household subject to availability of funds.* Rental and utility arrears may be paid in full.

Terms of Assistance

Rental or utility assistance will include:

- a. Monthly Payment made on behalf of eligible household to landlord/property management agent or utility provider for 3 months’ rent and utilities up to a maximum of ~~182 months of assistance under ERA1 and ERA2 combined~~; or
- b. Monthly Arrears Payment made on behalf of eligible household to landlord/property management agent or utility provider for rent or utilities accrued after March 13, 2020; or
- c. Monthly payment combination of items a. and b. made on behalf of eligible household to landlord/property management agent or utility provider.

~~Three months supplemental assistance may be provided to ensure housing stability for a household after the initial 12 month period. The County Special Case Panel (SCP) (see definition below at page 16) must review and approve each case of supplemental assistance.~~

Emergency rental assistance will not be paid directly to households except in cases where the landlord does not agree to participate in the program or is unresponsive to attempts to gather information from the landlord. *The U.S. Treasury directs that the County must make reasonable efforts to obtain the cooperation of landlords and utility providers to accept payments from the ERA program. Outreach will be considered complete if a request for participation is sent in writing, by certified mail, to the landlord or utility provider, and the addressee does not respond to the request within ~~seven~~14 calendar days after mailing; or, if the grantee has made at least three attempts by phone or email over a ~~five~~10 calendar-day period to request the landlord or utility provider’s participation; or a landlord confirms in writing that the landlord does not wish to participate. The final outreach attempt or notice to the landlord must be*

documented. The cost of contacting landlords would be an eligible administrative cost. The payments will be made by Richland County to the bona fide landlord/property management agent or company.

After all reasonable efforts have failed to obtain the cooperation of the landlord and/or utility provider, the County shall make payments directly to the household following the payment process found in Step 3: Approval and Payment below.

With respect to landlords that receive funds under the ERA2 program for prospective rent, the County is required to prohibit the landlord from evicting the tenant for nonpayment of rent during the period covered by the assistance. In addition, with respect to landlords that receive funds for rental arrears, to promote the purpose of the program the County encourages that landlords refrain from evicting the tenant for nonpayment of rent for some period of time, consistent with applicable law. In all cases, Treasury strongly encourages grantees to require landlords that receive funds under the ERA, as a condition of receiving the funds, not to evict tenants for nonpayment of rent for 30 to 90 days longer than the period covered by the rental assistance.

Utility payments will be made by Richland County directly to the respective utility company.

Emergency rental assistance shall be paid by the date specified on the current lease agreement. In the event the applicant cannot provide a lease due to legitimate reasons (as determined by the County), and provides self-attestation, HUD's Fair Market Rental Rates (web site - huduser.gov) will be utilized in order to determine the appropriate allocation amount of funds.

- The allocation of these funds are conditional upon the landlord's agreement to accept the Fair Market Rate amount to satisfy arrears.

The emergency rental assistance program will log all payments made on behalf of eligible households.

Applications

Applicants

An applicant may be either a renter or landlord.

Applicant shall provide the following information to be considered as an eligible household:

1. Name and contact information.
2. Address – An applicant household must reside in a rental property located within the geographical boundaries of Richland County.
3. Status – renter or landlord.
4. Copy of current lease agreement or self-attestation in the absence of a lease agreement.
5. Household Income – must be below 80% of the area median income (AMI).
6. Rental payment status – In arrears or prospective?
7. Impact of Covid-19 – Is there economic hardship? How?

Eligibility

Household

A Household is defined as one or more individuals who are obligated to pay rent on a residential dwelling. The occupants may be a single family, one person living alone, two or more families living together, or any other group of persons who share living arrangements. Therefore, household occupant information must include, at a minimum, the following:

1. Full names and ages of all occupants (whether related or unrelated) living in the residence; and
2. Signature of the primary applicant(s), certifying that the information provided related to the annual household income and occupants is correct.

The term “eligible household” means a household of 1 or more individuals who are obligated to pay rent on a residential dwelling and:

1. One or more individuals within the household has
 - a. qualified for unemployment benefits or
 - b. experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the ~~new~~ pandemic disease (COVID-19) outbreak, which the applicant shall attest in writing (see Justifying Economic Hardship below); and
2. One or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability, which may include—
 - a. a past due utility or rent notice or eviction notice; or
 - b. unsafe or unhealthy living conditions (which may include overcrowding); or
 - c. any other evidence of such risk, as determined by the eligible grantee involved (see Justifying Homeless and Housing Instability below); and
3. The household has a low-income family household (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b))). The definition of “low-income families” in 42 U.S.C. 1437a(b) is “those families whose incomes do not exceed income that is not more than 80 per centum of the area median income for the area, as determined by the Secretary [of Housing and Urban Development] with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary’s findings that such variations are necessary because of prevailing levels of construction costs are unusually high or low family incomes.

Occupancy

Applicant must provide proof of occupancy.

All occupancy documentation must show services were provided anytime during the billing period of the COVID-19 pandemic period beginning March 13, 2020-to present, in the applicant or co-applicant's name, and the subject address.

Acceptable proof includes:

1. The applicable lease, signed by the applicant and the landlord or sublessor, that identifies the unit where the applicant resides and establishes the rental payment amount; or
2. If the household does not have a signed lease, documentation of residence may include an attestation by a landlord who can be identified as the verified owner or management agent of the unit; or
3. Copy of electric, gas, or water bill. The bill must confirm that service was provided anytime during the billing period of the pandemic, beginning March 13, 2020 to present; or
4. Letter from electric, gas, or water company. The letter must confirm that service was provided during the billing period of the pandemic; or

3.5 Other qualified documents may be presented for consideration of proof of occupancy, which include but are not limited to a voter registration card from the time of the pandemic or a driver's license from the time of the pandemic.

Justifying Economic Hardship

Applicant households must submit documentation confirming economic hardship due directly or indirectly, to or during the COVID-19 pandemic.

The County must document that one or more members of the applicant's household either:

1. qualified for unemployment benefits or
 - a. If relying on this determination, the applicant will submit a signed attestation or other relevant documentation regarding the household member's qualification for unemployment benefits.
2. experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 outbreak.
 - a. If relying on this determination, the applicant will submit a signed attestation that one or more members of the household meets this condition.

Treasury encourages and the County relies on self-certification of applicants regarding whether their financial hardship meets these statutory eligibility requirements. Further, because the standard in ERA2 is broader than the standard in ERA1, any applicant that self-certifies that it meets the standard in ERA1 meets the standard for purposes of ERA2.

Acceptable documentation sources are:

1. If workplace closure or reduced hours due to COVID-19, including lay off, termination, loss of working hours, income reduction resulting from business closure or other employer economic impacts of COVID-19:
 - A copy of household member(s) notification of job loss/termination from employer during the eligible pandemic period (March 13, 2020 to present); or
 - A copy of household member(s) notification of furlough from employer during the eligible pandemic period (March 13, 2020 to present); or
 - A copy of household member(s) notification confirming reduction in hours and/or pay during the eligible pandemic period (March 13, 2020 to present); or
 - A copy of household member(s) application during the eligible pandemic period (March 13, 2020 to present) and/or approval for Unemployment Insurance benefits; or
 - A signed self-certification that includes the name of the household member who is self-employed, the name and nature of the business, and narrative confirming economic impact on self-employment during eligible pandemic period (March 13, 2020 to present).
2. Documentation of sickness with COVID-19 or caring for a household or family member who is sick with COVID-19;
3. Documentation of extraordinary out-of-pocket childcare expenses due to school closures, medical expenses, or health care expenditures stemming from COVID-19 infection of the tenant or a member of the tenant's household who is ill with COVID-19;
4. Documentation of compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency;
5. Documentation of Reasonable expenditures stemming from government ordered emergency measures; and

~~6. Documentation of any additional factors relevant to the tenant's reduction in income as a result of the COVID-19 emergency.~~

Justifying Homeless and Housing Instability

The Act requires that one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability, which may include:

1. a past due utility or rent notice or eviction notice,
2. unsafe or unhealthy living conditions (which may include overcrowding), or
3. any other evidence of risk, as determined by the County grantee.

The first criteria the applicant would either submit a copy of a past due utility or rent notice or eviction since March 13, 2021 or attest to the same in the on-line application form.

The second criteria the applicant would attest to living in an unsafe or unhealthy living condition with documentation attached such as photographs, other documentation and/or an attestation from a third party that the household is living in an unsafe or unhealthy living condition.

The final criteria would only be used if the applicant cannot meet either of the first two criteria. The applicant would submit any other evidence supporting homeless or housing instability in the application. The evidence presented by the applicant will be considered by the County. This would be reviewed and decided on a case-by-case basis by the Special Case Panel (SCP). Examples of other evidence of risk include overcrowding, moving frequently, staying with relatives, or spending the bulk of household income on housing.

Duplication of Benefits

The statute creating the ERA 1 p Program requires that ERA payments not be duplicative of any other federally funded rental assistance provided to an eligible household. ERA2 does not make that same requirement, but Treasury does urge that grantees to "minimize the provision of duplicative assistance." Therefore, Richland County will still require a All applicants ~~ss~~ must provide a signed self-certification (electronic accepted) that includes the names of household members and a narrative confirming that no other federal rental assistance has been received during the eligible pandemic period (March 13, 2020 to present). The program may verify the accuracy of all self-certifications.

WARNING: ANY PERSON WHO KNOWINGLY MAKES A FALSE CLAIM OR STATEMENT MAY BE SUBJECT TO CIVIL OR CRIMINAL PENALTIES UNDER 18 U.S.C. 287, 1001 AND 31 U.S.C 3729.

Income Determination

For ERA2, the County will use the same income determination methodology that it used for ERA1. In addition, if a household is a single family that the County determined met the income requirement for eligibility under ERA1, the County considers the household to be eligible under ERA2, unless the County becomes aware of any reason the household does not meet the requirement for ERA2.

With respects to each household applying for assistance, the County uses one of five methods. The two methods are:

1. the Department of Housing and Urban Development's (HUD) definition of "annual income" in 24 CFR 5.609; or

2. using adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 series for individual federal annual income tax purposes; or
3. Using categorical eligibility; or
4. Using fact-specific proxy; or
5. Using written attestation without further documentation.

The County is required to have a reasonable basis under the circumstances for determining income. Except as discussed below, this requires a written attestation from the applicant as to household income and also documentation available to the applicant to support the determination of income, such as paystubs, W-2s or other wage statements, tax filings, bank statements demonstrating regular income, or an attestation from an employer. As discussed below, under certain circumstances, a grantee may rely on a written attestation from the applicant without further documentation of household income. The County has the discretion to provide waivers or exceptions to this documentation requirement to accommodate disabilities, extenuating circumstances related to the pandemic, or a lack of technological access. In these cases, the SCP is responsible for making the required determination regarding the applicant's household income and documenting that determination. If possible and practical, the County will partner with state unemployment departments or entities that administer federal benefits with income requirements to assist with the verification process, consistent with applicable law.

Categorical Eligibility: If an applicant's household income has been verified to be at or below 80 percent of the area median income (for ERA1) or if an applicant's household has been verified as a low-income family as defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) (for ERA2) in connection with another local, state, or federal government assistance program, grantees are permitted to rely on a determination letter from the government agency that verified the applicant's household income or status as a low-income family, provided that the determination for such program was made on or after January 1, 2020.

Fact-specific proxy: The County may rely on a written attestation from the applicant as to household income if the grantee also uses any reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household's geographic area.

Written Attestation Without Further Documentation: To the extent that a household's income, or a portion thereof, is not verifiable due to the impact of COVID-19 (for example, because a place of employment has closed) or has been received in cash, or if the household has no qualifying income, the County will accept a written attestation from the applicant regarding household income. If a written attestation without further documentation of income (or a fact-specific proxy as described above) is relied on, the County will reassess household income for such household every three months. In appropriate cases, grantees may rely on an attestation from a caseworker or other professional with knowledge of a household's circumstances to certify that an applicant's household income qualifies for assistance.

Income is determined in each household in 2 possible ways (household income):

1. The household's total income for calendar year 2020, as determined using the adjusted gross income (AGI) as defined for purposes of reporting under the IRS Form 1040 series for individual Federal annual income tax purposes, or
2. Sufficient confirmation, as determined by the Secretary of the Treasury, of the household's monthly income at the time of application for such assistance.
 - a. County will consider all current income received

- ~~b.—Applicant using the monthly income method must provide self certification of their income amounts in addition to any other income documentation available.~~
- ~~c.—For household incomes determined using this method, income eligibility must be reconsidered every 3 months. Households may reapply for additional assistance at the end of the three month period, if needed, and if the overall time limit for assistance is not exceeded.~~

To determine program eligibility, all sources of income for each household member over the age of 18 and the exact amounts earned from each income source must be accurately documented through one of the methods described above. The primary applicant(s) are also required to certify by signature that the information provided regarding household members is correct. The primary applicant is responsible to provide this documentation as part of eligibility consideration.

Eligible households must be at or below the 80% of area median income (AMI) or “Low Income” limits for confirmed household size, and priority will be given to those applicants at or below 50% of AMI or “Very Low.” See chart below.

Annual Income Limits

2020 MAXIMUM TOTAL HOUSEHOLD INCOME LIMITS
Effective April 1, 2021 for Richland County, SC

Family Size	Extremely Low Income	Very Low Income	Low Income
	Equal to or less than 30% of Area Median (\$)	31% to 50% of Area Median (\$)	51% to 80% of Area Median (\$)
1	15,300	25,450	40,700
2	17,450	29,050	46,500
3	21,720	32,700	52,300
4	26,200	36,300	58,100
5	30,680	39,250	62,750
6	35,160	42,150	67,400
7	39,640	45,050	72,050
8	44,120	47,950	76,700

Data Source: <https://www.huduser.gov/portal/datasets/il/il2020/2020summary.odn>

Priority Assistance

Renter households that qualify as very low income (less than 50% AMI) and/or households in which one or more member is unemployed and has been unemployed for 90 days will be given priority. The program will disburse funds on a rolling weekly basis. At the time of disbursement, recipients that are very low income and/or households in which one or more member is unemployed and has been unemployed for 90 days will have their funds disbursed first. Remaining funds will then be disbursed to qualified low income applicants.

Implementation Procedures

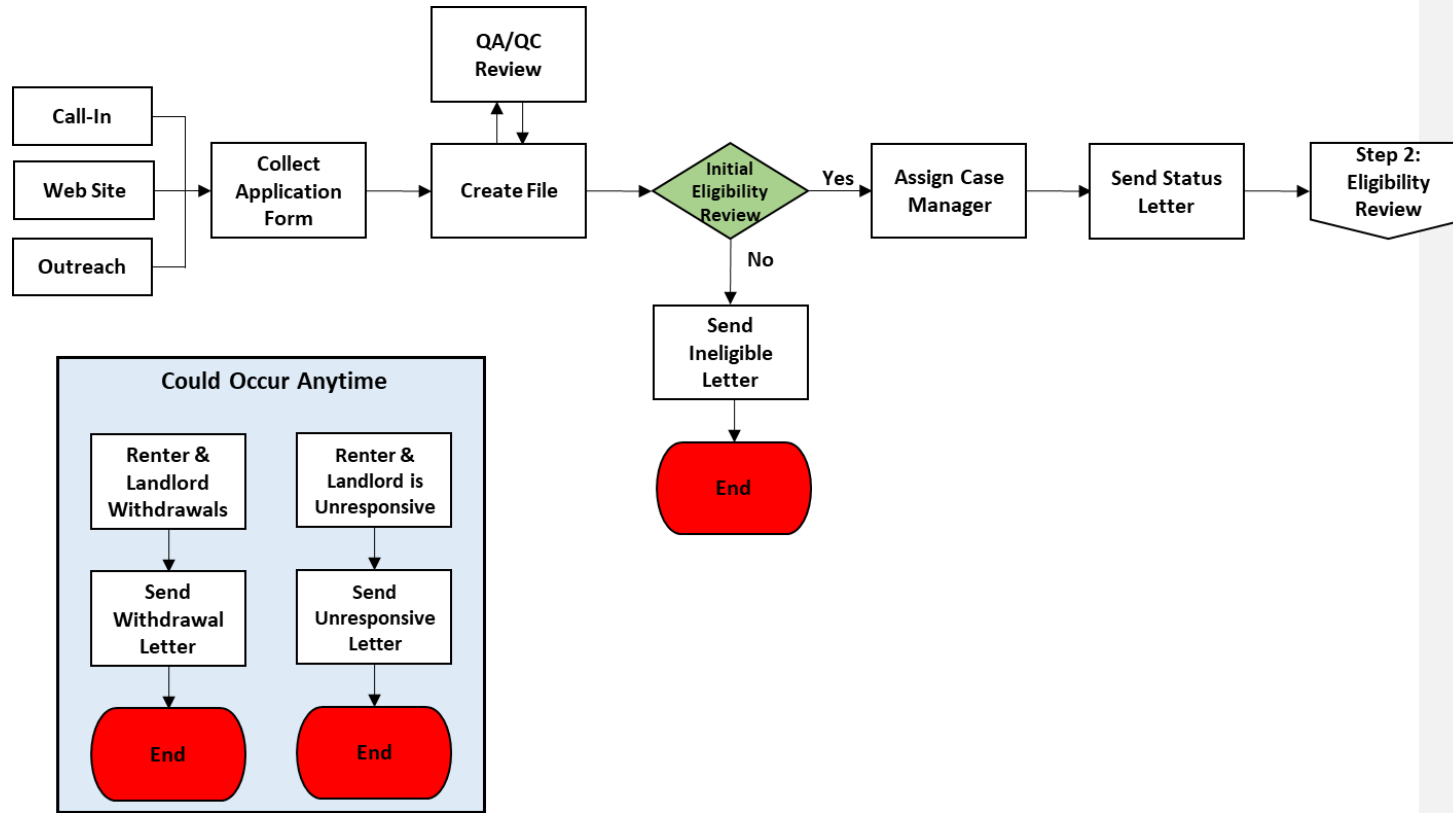
Richland County recognizes the immediacy of the COVID-19 crisis and will automate as much of the ERA program as possible. This will help ensure eligible applicants receive the assistance they need as promptly as possible.

Richland County will identify and utilize the appropriate information management system, which will provide efficiency and effectiveness in both application processing, and compliance with all federal/state/local program regulatory requisites.

Prior to starting the intake phase of the program, Richland County will develop and implement a public information campaign to notify and educate potential applicants that a program exists, the eligibility requirements, and how and when County residents and their landlords can apply.

Richland County will follow a three-step process to implement the program:

Step 1: Intake



Intake Policy

The purpose of the intake phase is to collect applications, required documents, and forms from applicants (tenants and landlords). The full intake phase will allow for the applicant to submit all required and relevant documentation to establish eligibility for funding and determine an award amount. Once an applicant has submitted all required documentation and forms, a case manager will be assigned to the application and a confirmation notice will be sent to the applicant. Intake specialists will respond to inquiries and assist applicants with completion of the applications either via phone, email, and if necessary, regular mail.

The ERA program will include safeguards for the protection of personally identifiable information (PII) for all applicants. All staff members who process application information are trained in dealing with PII. Applications, documents, and forms will be stored in the system of record and can only be accessed by staff members.

Procedures

Applicants will be able to submit an application in the following ways:

1. The Richland County website (<http://www.richlandcountysc.gov/>) will provide an application web-link: <https://portal.neighborlysoftware.com/erap-richlandcountysc/Participant>
2. Directly online @: <https://portal.neighborlysoftware.com/erap-richlandcountysc/Participant>
3. Via phone: The Application Call Center hotline number is: **855-216-9198**.
 - a. The hotline will allow the prospective applicant to speak directly with an intake staff member.
4. Richland County Government
 - a. Staff members of the Department of Government and Community Services will provide walk-in application services to residents.
 - i. The walk-in service will allow prospective applicants in person assistance.
5. Richland County Library System
 - a. The Richland County Library will make its personnel, facilities, and technology available to assist residents in submitting their applications virtually or in person.

Application Status

All applicant information will be entered into the system at the time of application. Applicant household's initial eligibility for emergency rental assistance will be determined upon first consultation, but the County will not move forward with submission of a completed application until all required information and documents are provided. After the application is complete and submitted, program staff will review application information and provide an eligibility determination as quickly as is practicable. All applicant household's information and supporting documentation will be recorded in the system to demonstrate eligibility/ineligibility for this program.

At any time during the process, if an applicant becomes unresponsive then the intake specialist or eligibility specialist (depending on when the applicant becomes unresponsive) will have the system send an unresponsive letter to the applicant and mark the applicant's file in the system as unresponsive. Unresponsiveness is defined as an applicant not responding to requests for documents, emails and phone calls for a period of three consecutive calendar weeks.

At any time during the process, if an applicant indicates a desire to voluntarily withdraw from the program to the intake specialist or eligibility specialist (depending upon when the applicant indicates their desire to withdraw) will ask the applicant to submit a withdrawal letter (not required, but always good for documentation), have the system send a withdrawal letter, and mark the applicant's file in the system as an applicant voluntary withdrawal from the program.

Richland County will ensure timely communication of application status to those who have submitted applications. An auto-generated notice will be sent to each applicant if the application is incomplete and documents or forms are still needed to be submitted to complete the intake phase. Only after all required documents and forms have been submitted by the applicant will a case manager be assigned to the application to verify program eligibility. At this time, an auto-generated notice will be sent to the applicant that their application is complete and will be reviewed for program eligibility.

While the program application process will be paperless, ERA program personnel in the ERA Center will aid persons who might have difficulty using or accessing the internet with a wide range of methods available.

Initial Eligibility Review

The Richland County information management system, will conduct an automatic review of the application and ensure applicant is in preliminary compliance with the following:

- Rental location is within the geographical boundaries of Richland County.
- Self-reported income is within program eligibility limitations.
- Applicant is either a Renter or Landlord of record.
- Applicant provides a copy of current lease agreement or self-attestation in the absence of a lease agreement.
- Applicant certifies they have been financially impacted by COVID-19 which has negatively impacted their ability to make rental and/or utility payments.

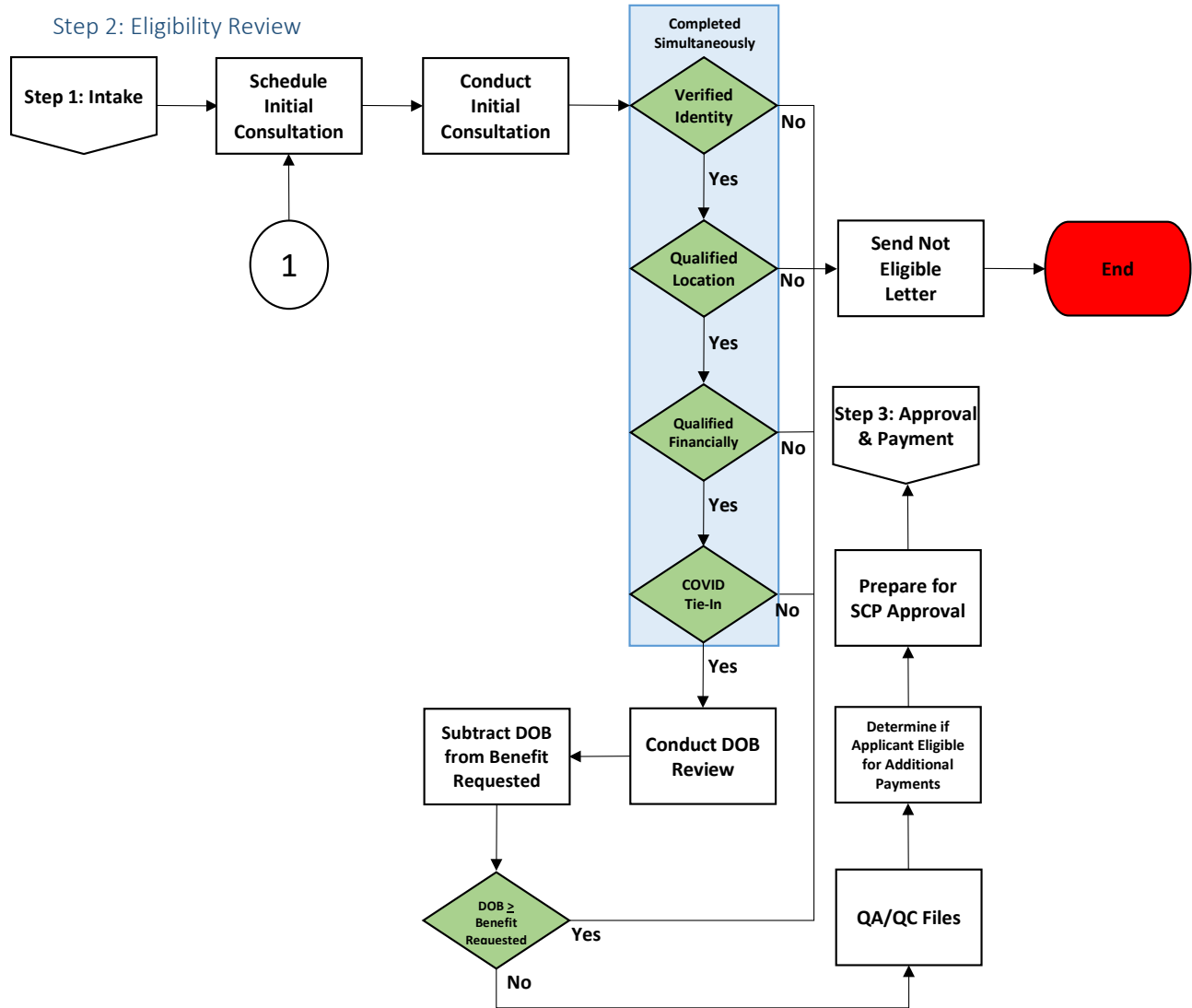
An approved applicant file shall contain all submitted information and documentation necessary to meet all required eligibility criteria and contain completed forms, documentation, and necessary information for all members of an applicant household. Once the verification process is completed and if basic applicant eligibility is established, the Lead Eligibility Specialist will approve the pre-application in the Richland County Information System and an email will be generated to the applicant. This email will notify the applicant of their initial eligibility and include:

1. Applicant Username.
2. Temporary Password.
3. Website link to their specific application.
4. The program hotline number and any associated program personnel identification.
5. The Program Manager's contact information:
 - Michael King – 803-731-8363 - King.Michael@richlandcountysc.gov

If the applicant does not have email and/or internet access, program personnel will contact the applicant at the phone number(s) they provided and will provide documentation with the above-mentioned information follow-up via U.S. Mail.

Applicants who do not qualify for assistance will be notified via phone at the number(s) they provided and will be sent a follow-up denial letter via U.S. Mail, which will cite the specific basis for the denial.

- a) A denied applicant system file shall contain all submitted information and documentation, as well as the reason for denial (ex: over income limits, incomplete information, reside outside Richland County).
- b) The denial letter will also provide the applicant the process for appealing the denial and any other available information regarding additional and/or supplemental assistance resources.



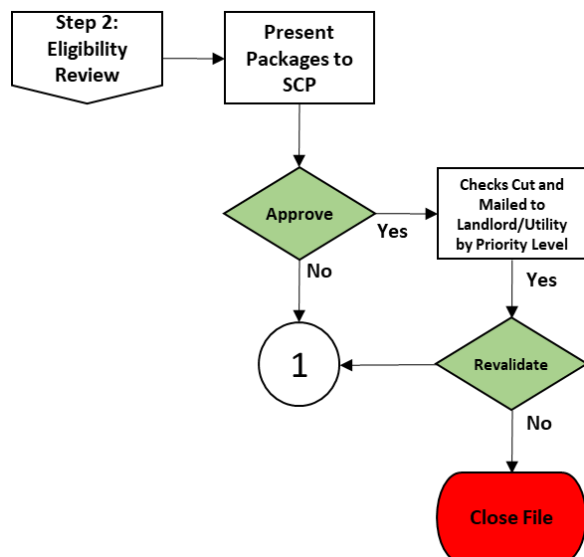
This section outlines the procedure to apply the eligibility requirements from the CAA as laid out in the statute and in the eligibility section of this document.

The following are threshold requirements, which must be met in order for an applicant to be eligible for assistance. Eligibility does not assure assistance, since it is expected that there will be more eligible applicants than can be served with available funds. In each given week that funds are not available to serve all eligible applicants, renter households that qualify as very low income (less than 50% AMI) and/or households in which one or more member is unemployed and has been unemployed for 90 days will have their funds disbursed first.

Eligibility Review Procedure

1. After the initial eligibility review is completed, the assigned case manager will begin the formal eligibility review process:
2. During the formal eligibility review process the case manager will verify:
 - a. Identity of applicant;
 - b. Eligible location of residence;
 - c. Income Qualification; and
 - d. Negative Impact from COVID-19.
3. Applicants who do not qualify for assistance after the formal eligibility review process will be notified via email or mail which will cite the specific basis for the denial.
 - a. The denial letter will also provide the applicant the process for appealing the denial and any other available information regarding additional and/or supplemental assistance resources.
4. After eligibility is verified, case manager will conduct a duplication of benefits analysis, based on self-certifications from the applicant.
 - a. Once the duplication of benefits analysis is completed and the applicant still has identified unmet needs, the case manager will recommend the applicant for approval and will identify the eligible amount for rent and for each eligible utility.
 - b. The case manager will mark the file for revalidation in 2.5 months until the applicant reaches their ~~18~~-month payment limit.
 - ~~c. If the applicant reaches their 12-month payment limit, the case manager can recommend an additional three months of payments if the case manager can verify that not extending the rental assistance by three additional months would cause a housing instability for the household.~~
5. The file is then reviewed by the case manager's team leader, verified, and submitted for approval by the SCP.
6. The Eligibility Manager will prepare and maintain an up to date project spreadsheet which will provide information on all applications recommended for SCP review and approval. The Eligibility Manager will ensure the spreadsheet does not contain applicant PII prior to submission to the SCP for batch approval.

Step 3: Approval and Payment



Payment Procedure

1. The SCP will review the spreadsheet submitted for approval. The spreadsheet will contain:
 - a. Case number;
 - b. Verified size of Household;
 - c. Verified household Income;
 - d. Level of income;
 - e. If the household has one or more members is unemployed and has been unemployed for 90 days;
 - f. Negative impact from COVID;
 - g. Amount of rental assistance;
 - h. Amount of utility assistance;
 - i. Duplication of Benefits findings; and
 - j. Combined number of months of assistance provided.
2. The SCP will approve or disapprove each application. The SCP may batch approve if no objection is raised by a member of the SCP.
3. For those applications not approved by the SCP, the application will go back to the case manager to address whatever issues the SCP raised.
4. For those applications approved, the spreadsheet will go back to the Eligibility Manager. The Eligibility Manager will provide the required data to the Richland County Finance Department in order for checks to be issued to the respective landlords and utilities. The Eligibility Manager will submit the spreadsheet with a completed request for payment form to Richland County Budget and Grants Management for payment by the County.

Each week, Richland County Finance will provide the Eligibility Manager with a list of the payments made on behalf of the household and to whom the payment was made.

Program Oversight

Oversight Committee Policy

The Richland County ERA Program Oversight Committee will provide policy and overall program oversight of the Richland County ERA Program.

The Oversight Committee will review the following:

- Any proposed changes to the ERA Program Policy & Procedures (P&P) Manual;
- Any matter that must go to the County Administrator or Council to include contracts and change orders;
- Any appeals from actions taken by the Special Case Panel (SCP); and
- Program status reports.

Policy Scope

This policy is applicable to all ongoing activities of Richland County ERA Program as detailed in ERA P&P Manual Guidebook.

Procedures

The Oversight Committee will consist of an Assistant County Administrator (Chair), the County Ombudsman, and the Richland County Legislative Coordinator. It will meet as the chair requires.

Special Case Panel Policy

The Richland County ERA Program will consider and respond to citizen concerns, suggestions, requests and other issues pertaining to its ERA program by using a Special Case Panel (SCP).

The SCP must review the following:

- Any requested action outside of the current policies and procedures;
- Approvals of applications recommended for approval by the eligibility manager.

Policy Scope

This policy is applicable to all ongoing activities of Richland County ERA Program as detailed in the Richland County ERA Program Policy & Procedures Manual.

Procedures

The SCP will consist of the Director of GCS (Chair), the Local Disaster Recovery Manager (LDRM), and the Director of RCESD. It will follow the process detailed in ERA Citizen Concerns, Requests, Suggestions, and Appeals Policy. As stated in ERA Program Citizen Concerns, Requests, Suggestions, and Appeals Policy, a decision memorandum or equivalent will set forth the Panel's findings on each matter it considers.

Appeals

Richland County will utilize the model established for the Advisory Committee and the Special Case Panel for the ERA Programs as is utilized for the Richland County CDBG-DR program for Appeals.

Citizen Concerns, Requests, Suggestions, and Appeals Policy

During the activities of the ERA Program, many decisions will be made involving each application. These decisions will be made based on Richland County's interpretation of:

1. Applicable federal and state statutes,
2. The Code of Federal Regulations,
3. State and local codes and ordinances,
4. Local guidelines, and
5. The Richland County ERA Program Policies & Procedures Manual.

During these Program activities and decisions, it is possible that citizens may wish to present a concern, suggestion or request related to the Program and/or one or more of its decisions. In addition, once they receive a response to their issue, they may believe they have a legitimate reason to appeal that response. To allow for such circumstances, Richland County will allow citizens to submit their issues for consideration through the SCP. The aim of the County will be to always attempt to resolve such issues in a manner that is both sensitive to the citizen's needs and achieves a result fully compliant with all applicable laws, regulations, and local codes and ordinances. The goal of the County and SCP are to provide:

1. An opportunity for citizens to receive a response to and/or resolve their issues in a timely manner, usually within fifteen (15) business days, if feasible, and
2. The right for citizens who participate in this process to appeal adverse program decisions, which involve:
 - a. An eligibility and/or priority determination or
 - b. Special circumstances where citizens have a demonstrable hardship.

Citizens may submit a written concern, suggestion, appeal or request by email at King.Michael@richlandcountysc.gov or by postal mail to: Richland County Disaster Recovery, Assistant Director King, 1410 Laurens Street, Columbia, SC 29204.

A citizen's right and process for appealing a response will be provided in a written response to each citizen who submits a concern, suggestion, or request.

Policy Scope

This policy is applicable to all ongoing activities of Richland County ERA Program as detailed in this Policy and Procedure Manual.

Procedures

The procedures for this policy are as follows:

1. Notice of citizen's right to convey a concern, suggestion, or request; the right to appeal a decision response; and the process for conveying a concern, suggestion or request, or starting an appeal, will be made available to all citizen applicants of the ERA Program, and posted on the website.
2. The SCP will consist of the Director of GCS (Chair), the Local Disaster Recovery Manager (LDRM), and the Director of RCESD.

3. Citizens may choose to convey their concerns, suggestions, and requests:
 - a. Informally through a verbal conversation with their case manager, or
 - b. Formerly using a written or electronic document, which is emailed or postal mailed to the ERA Program.

Complaints/Concerns/Suggestions/Requests may be submitted in the following ways:

Mail:

Richland County Disaster Recovery
Attn: Assistant Director King
1410 Laurens Street
Columbia, SC 29204

Email: King.Michael@richlandcountysc.gov

Phone: 803-731-8362

4. The ERA Program Manager will review all concerns, suggestions, requests, and appeals and decide if the issue can be resolved without further scrutiny or if it should be escalated to the SCP.
5. The SCP will receive and review all citizen concerns, suggestions, and requests forwarded by the ERA Program Manager at its weekly meeting at the Richland County Administration Building.
6. The SCP will attempt to resolve each citizen's issue and/or provide them with a decision response in a timely manner, usually within fifteen (15) business days of hearing the issue, if feasible.
7. When considering citizen concerns, suggestions and requests, the SCP will utilize the following process:
 - a. All SCP members will review information provided by each citizen to ensure they fully understand all aspects of the citizen's issue and viewpoints;
 - b. All SCP members will review all policies, if any, relevant to the citizen's issue and viewpoints and any other related information provided by the ERA Program Manager;
 - c. The SCP will meet to weigh each citizen's issue, viewpoints, policy implications, the ERA Program Manager and Legal Counsel's analysis, if any, and make a decision by majority vote;
 - d. The ERA Program Manager or designee will document each SCP meeting, decision and rationale in a Decision Memorandum and send it to the Director of GCS for their review and approval; and
 - e. Once the SCP decision has been approved, the ERA Program Manager or designee will communicate the decision in a response to each citizen, inform them of their right to appeal, and fully explain the appeal process.
8. Citizens will be informed that they have the right to appeal the decision of the SCP if they have reason to believe their case was not handled according to applicable law, regulations, Program policy or if they have new information, which has an impact on the case. This appeal should be sent to the ERA Program Manager via email or postal mail using the same communication information provided above within 10 business days of the date of denial. The ERA Program Manager will forward all appeals and the associated case folders to the ERA Oversight Committee. The goal of the ERA Oversight Committee will be to decide on the appeal and respond to the citizen in a timely manner, usually within fifteen (15) business days of receipt of the appeal, if feasible.
 - a. The ERA Oversight Committee will consist of an Assistant County Administrator (Chair), the County Ombudsman, and the Richland County Legislative Coordinator.
9. The ERA Oversight Committee's decision is final.

10. The ERA Program Manager and/or assignee will maintain case files on all citizen concerns, suggestions, and requests to include the date input was received/case opened, citizen name, input summary, follow up activities, a reference to the Decision Memorandum for the case and the date the case was closed.

Disclosures

Conflict of Interest

No COVID-19 ERA funding will be provided to any member of the governing body of Richland County, nor any designee of the County or the operating agency who is in a decision making capacity in connection with the administration of this program; no member of the above organizations shall have any interest, direct or indirect, in the proceeds from a grant from this program.

**U.S. Department of the Treasury
Emergency Rental Assistance
Frequently Asked Questions**

Revised May 7, 2021

The Department of the Treasury (Treasury) is providing these frequently asked questions (FAQs) as guidance regarding the requirements of the Emergency Rental Assistance program established by section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) (ERA1) and the Emergency Rental Assistance program established by section 3201 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (March 11, 2021) (ERA2). These FAQs apply to both ERA1 and ERA2, except where differences are specifically noted. References in these FAQs to “the ERA” apply to both ERA1 and ERA2. These FAQs will be supplemented by additional guidance.¹

1. Who is eligible to receive assistance in the ERA and how should a grantee document the eligibility of a household?

A grantee may only use the funds provided in the ERA to provide financial assistance and housing stability services to eligible households. To be eligible, a household must be obligated to pay rent on a residential dwelling and the grantee must determine that:

- i. for ERA1:
 - a. one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 outbreak;
 - b. one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and
 - c. the household has a household income at or below 80% of area median income.
- ii. for ERA2:
 - a. one or more individuals within the household has qualified for unemployment benefits or experienced a reduction in household income, incurred significant

¹ On January 19, 2021, initial FAQs were released for ERA1. On February 22, 2021, the initial FAQs were revised to, among other things, clarify program requirements and provide additional flexibility with respect to documenting the eligibility of households. On March 16, 2021, FAQ 7 was revised to add rental security deposits as a permissible relocation expense and clarify that application or screening fees are permissible rental fees and FAQs 26–28 were added. On March 25, 2021, FAQ 29 was added. On May 7, 2021, these FAQs were revised to provide initial guidance for ERA2, to clarify differences between ERA1 and ERA2, and to clarify how ERA should be used to promote housing stability for eligible households.

costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus pandemic;

- b. one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and
- c. the household is a low-income family (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).²

While there are some differences in eligibility between ERA1 and ERA2, the eligibility requirements are very similar, and Treasury is seeking to implement ERA2 consistently with ERA1, to the extent possible, reduce administrative burdens for grantees.

The FAQs below describe the documentation requirements for each of these conditions of eligibility. These requirements provide for various means of documentation so that grantees may extend this emergency assistance to vulnerable populations without imposing undue documentation burdens. As described below, given the challenges presented by the COVID-19 pandemic, grantees may be flexible as to the particular form of documentation they require, including by permitting photocopies or digital photographs of documents, e-mails, or attestations from employers, landlords, caseworkers, or others with knowledge of the household's circumstances. Treasury strongly encourages grantees to avoid establishing documentation requirements that are likely to be barriers to participation for eligible households, including those with irregular incomes such as those operating small business or gig workers whose income is reported on Internal Revenue Service Form 1099. However, grantees must require all applications for assistance to include an attestation from the applicant that all information included is correct and complete.

In all cases, grantees must document their policies and procedures for determining a household's eligibility to include policies and procedures for determining the prioritization of households in compliance with the statute and maintain records of their determinations. Grantees must also have controls in place to ensure compliance with their policies and procedures and prevent fraud. Grantees must specify in their policies and procedures under what circumstances they will accept written attestations from the applicant without further documentation to determine any aspect of eligibility or the amount of assistance, and in such cases, grantees must have in place reasonable validation or fraud-prevention procedures to prevent abuse.

² As of the date of these FAQs, the definition of "low-income families" in 42 U.S.C. 1437a(b) is "those families whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary [of Housing and Urban Development] with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low family incomes."

2. How should applicants document that a member of the household has qualified for unemployment benefits, experienced a reduction in income, incurred significant costs, or experienced other financial hardship during or due to the COVID-19 outbreak?

A grantee must document that one or more members of the applicant's household either (i) qualified for unemployment benefits or (ii) (a) for ERA1, experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due, directly or indirectly, to the COVID-19 outbreak or (b) for ERA2, experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus pandemic.³ If the grantee is relying on clause (i) for this determination, or if the grantee is relying on clause (ii) in ERA2, the grantee is permitted to rely on either a written attestation signed by the applicant or other relevant documentation regarding the household member's qualification for unemployment benefits. If the grantee is relying on clause (ii) for this determination in ERA1, the statute requires the grantee to obtain a written attestation signed by the applicant that one or more members of the household meets this condition.

While grantees relying on clause (ii) in ERA1 must show financial hardship "due, directly or indirectly, to" COVID-19, grantees in ERA2 are also permitted to rely on financial hardship "during" the pandemic. It may be difficult for some grantees to establish whether a financial hardship experienced during the pandemic is due to the COVID-19 outbreak. Therefore, Treasury strongly encourages grantees to rely on the self-certification of applicants with regard to whether their financial hardship meets these statutory eligibility requirements. Further, because the standard in ERA2 is broader than the standard in ERA1, any applicant that self-certifies that it meets the standard in ERA1 should be considered to meet the standard for purposes of ERA2.

3. How should a grantee determine that an individual within a household is at risk of experiencing homelessness or housing instability?

The statutes establishing ERA1 and ERA2 both require that one or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability, which may include (i) a past due utility or rent notice or eviction notice, (ii) unsafe or unhealthy living conditions (which may include overcrowding), or (iii) any other evidence of risk, as determined by the grantee. Grantees may establish additional criteria for determining whether a household satisfies this requirement, and should adopt policies and procedures addressing how they will determine the presence of unsafe or unhealthy living conditions and what evidence of risk to accept in order to support their determination that a household satisfies this requirement.

4. The statutes establishing ERA1 and ERA2 limit eligibility to households based on certain income criteria. How is household income defined for purposes of the ERA? How will income be documented and verified?

Definition of Income: With respect to each household applying for assistance, grantees may choose between using the Department of Housing and Urban Development's (HUD) definition

³ Treasury is interpreting the two different statutory terms ("the COVID-19 outbreak" and "the coronavirus pandemic") as having the same meaning.

of “annual income” in 24 CFR 5.609⁴ and using adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 series for individual federal annual income tax purposes.

Methods for Income Determination: The statute establishing ERA1 provides that grantees may determine income eligibility based on either (i) the household’s total income for calendar year 2020, or (ii) sufficient confirmation of the household’s monthly income at the time of application, as determined by the Secretary of the Treasury (Secretary).

If a grantee in ERA1 uses a household’s monthly income to determine eligibility, the grantee should review the monthly income information provided at the time of application and extrapolate over a 12-month period to determine whether household income exceeds 80 percent of area median income. For example, if the applicant provides income information for two months, the grantee should multiply it by six to determine the annual amount. If a household qualifies based on monthly income, the grantee must redetermine the household income eligibility every three months for the duration of assistance.

For ERA2, if a grantee uses the same income determination methodology that it used in ERA1, it is presumed to be in compliance with relevant program requirements; if a grantee chooses to use a different methodology for ERA2 than it used for ERA1, the methodology should be reasonable and consistent with all applicable ERA2 requirements. In addition, if a household is a single family that the grantee determined met the income requirement for eligibility under ERA1, the grantee may consider the household to be eligible under ERA2, unless the grantee becomes aware of any reason the household does not meet the requirements for ERA2. Finally, if multiple families from the same household receive funding under an ERA2 program, the grantee should ensure that there is no duplication of the assistance provided.

Documentation of Income Determination: Grantees in ERA1 and ERA2 must have a reasonable basis under the circumstances for determining income. Except as discussed below, this generally requires a written attestation from the applicant as to household income and also documentation available to the applicant to support the determination of income, such as paystubs, W-2s or other wage statements, tax filings, bank statements demonstrating regular income, or an attestation from an employer. As discussed below, under certain circumstances, a grantee may rely on a written attestation from the applicant without further documentation of household income. Grantees have discretion to provide waivers or exceptions to this documentation requirement to accommodate disabilities, extenuating circumstances related to the pandemic, or a lack of technological access. In these cases, the grantee is still responsible for making the required determination regarding the applicant’s household income and documenting that determination. Treasury encourages grantees to partner with state unemployment departments or entities that administer federal benefits with income requirements to assist with the verification process, consistent with applicable law.

Categorical Eligibility: If an applicant’s household income has been verified to be at or below 80 percent of the area median income (for ERA1) or if an applicant’s household has been verified as a low-income family as defined in section 3(b) of the United States Housing Act of 1937

⁴ See https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=24:1.1.1.1.5#se24.1.5_1609.

(42 U.S.C. 1437a(b)) (for ERA2) in connection with another local, state, or federal government assistance program, grantees are permitted to rely on a determination letter from the government agency that verified the applicant's household income or status as a low-income family, provided that the determination for such program was made on or after January 1, 2020.

Fact-specific proxy: A grantee may rely on a written attestation from the applicant as to household income if the grantee also uses any reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household's geographic area.

Written Attestation Without Further Documentation: To the extent that a household's income, or a portion thereof, is not verifiable due to the impact of COVID-19 (for example, because a place of employment has closed) or has been received in cash, or if the household has no qualifying income, grantees may accept a written attestation from the applicant regarding household income. If a written attestation without further documentation of income (or a fact-specific proxy as described above) is relied on, the grantee must reassess household income for such household every three months. In appropriate cases, grantees may rely on an attestation from a caseworker or other professional with knowledge of a household's circumstances to certify that an applicant's household income qualifies for assistance.

Definition of Area Median Income: For purposes of ERA1, the area median income for a household is the same as the income limits for families published in accordance with 42 U.S.C. 1437a(b)(2), available under the heading for "Access Individual Income Limits Areas" at <https://www.huduser.gov/portal/datasets/il.html>.⁵

5. ERA funds may be used for rent and rental arrears. How should a grantee document where an applicant resides and the amount of rent or rental arrears owed?

Grantees must obtain, if available, a current lease, signed by the applicant and the landlord or sublessor that identifies the unit where the applicant resides and establishes the rental payment amount. If a household does not have a signed lease, documentation of residence may include evidence of paying utilities for the residential unit, an attestation by a landlord who can be identified as the verified owner or management agent of the unit, or other reasonable documentation as determined by the grantee. In the absence of a signed lease, evidence of the amount of a rental payment may include bank statements, check stubs, or other documentation that reasonably establishes a pattern of paying rent, a written attestation by a landlord who can be verified as the legitimate owner or management agent of the unit, or other reasonable documentation as defined by the grantee in its policies and procedures.

Written Attestation: If an applicant is able to provide satisfactory evidence of residence but is unable to present adequate documentation of the amount of the rental obligation, grantees may accept a written attestation from the applicant to support the payment of assistance up to a monthly maximum of 100% of the greater of the Fair Market Rent or the Small Area Fair Market Rent for the area in which the applicant resides, as most recently determined by HUD and made

⁵ Specifically, 80% of area median income is the same as "low income." For the purpose of prioritizing rental assistance as described in FAQ 22 below, pursuant to section 501(c)(4)(A) of Subdivision N of the ERA1 statute, 80 percent of the area median income for the household is the same as the "very low-income limit" for the area in question.

available at <https://www.huduser.gov/portal/datasets/fmr.html>. In this case, the applicant must also attest that the household has not received, and does not anticipate receiving, another source of public or private subsidy or assistance for the rental costs that are the subject of the attestation. This limited payment is intended to provide the most vulnerable households the opportunity to gather additional documentation of the amount of the rental obligation or to negotiate with landlords in order to avoid eviction. The assistance described in this paragraph may only be provided for three months at a time, and a grantee must obtain evidence of rent owed consistent with the above after three months in order to provide further assistance to such a household; Treasury expects that in most cases the household would be able to provide documentation of the amount of the rental obligation in any applications for further assistance.

6. ERA funds may be used for “utilities and home energy costs” and “utilities and home energy costs arrears.” How are those terms defined and how should those costs be documented?

Utilities and home energy costs are separately stated charges related to the occupancy of rental property. Accordingly, utilities and home energy costs include separately stated electricity, gas, water and sewer, trash removal, and energy costs, such as fuel oil. Payments to public utilities are permitted.

All payments for utilities and home energy costs should be supported by a bill, invoice, or evidence of payment to the provider of the utility or home energy service.

Utilities and home energy costs that are covered by the landlord will be treated as rent.

7. The statutes establishing ERA1 and ERA2 allow the funds to be used for certain “other expenses,” as defined by the Secretary. What are some examples of these “other expenses”?

ERA1 funds used for “other expenses” must be related to housing and “incurred due, directly or indirectly, to the novel coronavirus disease (COVID-19) outbreak”. In contrast, ERA2 requires that “other expenses” be “related to housing” but does not require that they be incurred due to the COVID-19 outbreak.

For both ERA1 and ERA2, other expenses related to housing include relocation expenses (including prospective relocation expenses), such as rental security deposits, and rental fees, which may include application or screening fees. It can also include reasonable accrued late fees (if not included in rental or utility arrears), and Internet service provided to the rental unit. Internet service provided to a residence is related to housing and is in many cases a vital service that allows renters to engage in distance learning, telework, and telemedicine and obtain government services. However, given that coverage of Internet would reduce the amount of funds available for rental assistance, grantees should adopt policies that govern in what circumstances that they will determine that covering this cost would be appropriate.

All payments for housing-related expenses must be supported by documentary evidence such as a bill, invoice, or evidence of payment to the provider of the service. If a housing-related expense is included in a bundle or an invoice that is not itemized (for example, internet services

bundled together with telephone and cable television services) and obtaining an itemized invoice would be unduly burdensome, grantees may establish and apply reasonable procedures for determining the portion of the expense that is appropriate to be covered by ERA. As discussed in FAQ 26 below, under certain circumstances, the cost of a hotel stay may also be covered as an “other expense.”

8. Must a beneficiary of the rental assistance program have rental arrears?

No. The statutes establishing ERA1 and ERA2 permit the enrollment of households for only prospective benefits. For ERA1, if an applicant has rental arrears, the grantee may not make commitments for prospective rent payments unless it has also provided assistance to reduce the rental arrears; this requirement does not apply to ERA2.

9. May a grantee provide assistance for arrears that have accrued before the date of enactment of the statute?

Yes, but not before March 13, 2020, the date of the emergency declaration pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5191(b).

10. Is there a limit on how many months of financial assistance a tenant can receive?

Yes. In ERA1, an eligible household may receive up to twelve (12) months of assistance (plus an additional three (3) months if necessary to ensure housing stability for the household, subject to the availability of funds). The aggregate amount of financial assistance an eligible household may receive under ERA2, when combined with financial assistance under ERA1, must not exceed 18 months.

In ERA1, financial assistance for prospective rent payments is limited to three months based on any application by or on behalf of the household, except that the household may receive assistance for prospective rent payments for additional months (i) subject to the availability of remaining funds currently allocated to the grantee, and (ii) based on a subsequent application for additional assistance. In no case may an eligible household receive more than 18 months of assistance under ERA1 and ERA2, combined.

11. Must a grantee pay for all of a household’s rental or utility arrears?

No. The full payment of arrears is allowed up to the limits established by the statutes, as described in FAQ 10 above. A grantee may structure a program to provide less than full coverage of arrears.

12. What outreach should be made by a grantee to a landlord or utility provider before determining that the landlord or utility provider will not accept direct payment from the grantee?

Treasury expects that in general, rental and utility assistance can be provided most effectively and efficiently when the landlord or utility provider participates in the program. However, in

cases where a landlord or utility provider does not participate in the program, the only way to achieve the statutory purpose is to provide assistance directly to the eligible household.

In ERA1, grantees must make reasonable efforts to obtain the cooperation of landlords and utility providers to accept payments from the ERA program. Outreach will be considered complete if (i) a request for participation is sent in writing, by mail, to the landlord or utility provider, and the addressee does not respond to the request within seven calendar days after mailing; (ii) the grantee has made at least three attempts by phone, text, or e-mail over a five calendar-day period to request the landlord or utility provider's participation; or (iii) a landlord confirms in writing that the landlord does not wish to participate. The final outreach attempt or notice to the landlord must be documented. The cost of contacting landlords would be an eligible administrative cost.

ERA2 does not require grantees to seek the cooperation of the landlord or utility provider before providing assistance directly to the tenant. However, if an ERA2 grantee chooses to seek the cooperation of landlords or utility providers before providing assistance directly to tenants, Treasury strongly encourages the grantee to apply the same ERA1 requirements as described above.

13. Is there a requirement that the eligible household have been in its current rental home when the public health emergency with respect to COVID-19 was declared?

No. There is no requirement regarding the length of tenure in the current unit.

14. What data should a grantee collect regarding households to which it provides rental assistance in order to comply with Treasury's reporting and recordkeeping requirements?

Treasury will provide instructions at a later time as to what information grantees must report to Treasury and how this information must be reported. At a minimum, in order to ensure that Treasury is able to fulfill its reporting requirements and its ongoing monitoring and oversight responsibilities, grantees should anticipate the need to collect from households and retain records on the following:

- Address of the rental unit;
- For landlords and utility providers, the name, address, and Social Security number, tax identification number or DUNS number;
- Amount and percentage of monthly rent covered by ERA assistance;
- Amount and percentage of separately stated utility and home energy costs covered by ERA assistance;
- Total amount of each type of assistance provided to each household (*i.e.*, rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing incurred due directly or indirectly to the COVID-19 outbreak);
- Amount of outstanding rental arrears for each household;
- Number of months of rental payments and number of months of utility or home energy cost payments for which ERA assistance is provided;
- Household income and number of individuals in the household; and

- Gender, race, and ethnicity of the primary applicant for assistance.

Grantees should also collect information as to the number of applications received in order to be able to report to Treasury the acceptance rate of applicants for assistance.

Treasury's Office of Inspector General may require the collection of additional information in order to fulfill its oversight and monitoring requirements.⁶ Treasury will provide additional information regarding reporting to Treasury at a future date. Grantees under ERA1 must comply with the requirement in section 501(g)(4) of Division N of the Consolidated Appropriations Act, 2021, to establish data privacy and security requirements for information they collect; grantees under ERA2 are also encouraged to comply with those requirements.⁷

The assistance listing number assigned to the ERA is 21.023.

15. The statute establishing ERA1 requires that payments not be duplicative of any other federally funded rental assistance provided to an eligible household. Are tenants of federally subsidized housing, e.g., Low Income Housing Credit, Public Housing, or Indian Housing Block Grant-assisted properties, eligible for the ERA?

An eligible household that occupies a federally subsidized residential or mixed-use property or receives federal rental assistance may receive assistance in the ERA, provided that ERA1 funds are not applied to costs that have been or will be reimbursed under any other federal assistance. Grantees are required to comply with Title VI of the Civil Rights Act and should evaluate whether their policies and practices regarding assistance to households that occupy federally subsidized residential or mixed-use properties or receive federal rental assistance comply with Title VI. With respect to ERA2, grantees must not refuse to provide assistance to households on the basis that they occupy such properties or receive such assistance, due to the disproportionate effect such a refusal could have on populations intended to receive assistance under the ERA and the potential for such a practice to violate applicable law, including Title VI.

If an eligible household participates in a HUD-assisted rental program or lives in certain federally assisted properties (e.g., a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) and the tenant rent is adjusted according to changes in income, the renter household may receive ERA1 assistance for the tenant-owed portion of rent or utilities that is not subsidized. Grantees are encouraged to confirm that the participant has already reported any income loss or financial hardship to the Public Housing Authority or property manager and completed an interim re-examination before assistance is provided.

⁶ Note that this FAQ is not intended to address all reporting requirements that will apply to the ERA but rather to note for grantees information that they should anticipate needing to collect from households with respect to the provision of rental assistance.

⁷ Specifically, the statute establishing ERA1 requires grantees to establish data privacy and security requirements for certain information regarding applicants that (i) include appropriate measures to ensure that the privacy of the individuals and households is protected; (ii) provide that the information, including any personally identifiable information, is collected and used only for the purpose of submitting reports to Treasury; and (iii) provide confidentiality protections for data collected about any individuals who are survivors of intimate partner violence, sexual assault, or stalking.

Treasury encourages grantees to enter into partnerships with owners of federally subsidized housing to implement methods of meeting the statutory requirement to prioritize assistance to households with income that does not exceed 50 percent of the area median income for the household, or where one or more individuals within the household are unemployed as of the date of the application for assistance and have not been employed for the 90-day period preceding such date.

Pursuant to section 501(k)(3)(B) of Subdivision N of the Consolidated Appropriations Act, 2021, and 2 CFR 200.403, when providing ERA1 assistance, the grantee must review the household's income and sources of assistance to confirm that the ERA1 assistance does not duplicate any other assistance, including federal, state, or local assistance provided for the same costs. Grantees may rely on an attestation from the applicant regarding non-duplication with other government assistance in providing assistance to a household. Grantees with overlapping or contiguous jurisdictions are particularly encouraged to coordinate and participate in joint administrative solutions to meet this requirement. The requirement described in this paragraph does not apply to ERA2; however, to maximize program efficacy, Treasury encourages grantees to minimize the provision of duplicative assistance.

16. In ERA1, may a Tribe or Tribally Designated Housing Entity (TDHE) provide assistance to Tribal members living outside Tribal lands?

Yes. Tribal members living outside Tribal lands may receive ERA1 funds from their Tribe or TDHE, provided they are not already receiving ERA assistance from another Tribe or TDHE, state, or local government.

17. In ERA1, may a Tribe or TDHE provide assistance to non-Tribal members living on Tribal lands?

Yes. A Tribe or TDHE may provide ERA1 funds to non-Tribal members living on Tribal lands, provided these individuals are not already receiving ERA assistance from another Tribe or TDHE, state, or local government.

18. May a grantee provide assistance to households for which the grantee is the landlord?

Yes. A grantee may provide assistance to households for which the grantee is the landlord, provided that the grantee complies with the all provisions of the statute establishing ERA1 or ERA2, as applicable, the award terms, and applicable ERA guidance issued by Treasury, and (for purposes of ERA1) that no preferences beyond those outlined in the Consolidated Appropriations Act, 2021, are given to households that reside in the grantee's own properties.

19. May a grantee provide assistance to a renter household with respect to utility or energy costs without also covering rent?

Yes. A grantee is not required to provide assistance with respect to rent in order to provide assistance with respect to utility or energy costs. For ERA1, the limitations in section 501(c)(2)(B) of Division N of the Consolidated Appropriations Act, 2021, limiting assistance for prospective rent payments do not apply to the provision of utilities or home energy costs.

20. May a grantee provide ERA assistance to homeowners to cover their mortgage, utility, or energy costs?

No. ERA assistance may be provided only to eligible households, which is defined by statute to include only households that are obligated to pay rent on a residential dwelling. However, homeowners may be eligible for assistance under programs using funds under the Homeowner Assistance Fund, which was established by Treasury under the American Rescue Plan Act of 2021.

21. May grantees administer ERA programs by using contractors, subrecipients, or intergovernmental cooperation agreements?

Yes. Grantees may use ERA payments to make subawards to other entities, including non-profit organizations and local governments, to administer ERA programs on behalf of the grantees. The subrecipient monitoring and management requirements set forth in 2 CFR 200.331-333 will apply to such entities. Grantees may also enter into contracts using ERA payments for goods or services to implement ERA programs. Grantees must comply with the procurement standards set forth in 2 CFR 200.317-327 in entering into such contracts. Grantees are encouraged to achieve administrative efficiency and fiduciary responsibility by collaborating with other grantees in joint administrative solutions to deploying ERA resources.

22. ERA requires a prioritization of assistance for households with incomes less than 50% of area median income or households with one or more individuals that have not been employed for the 90-day period preceding the date of application. How should grantees prioritize assistance?

Grantees should establish a preference system for assistance that prioritizes assistance to households with incomes less than 50% area median income and to households with one or more members that have been unemployed for at least 90 days. Grantees should document the preference system they plan to use and should inform all applicants about available preferences.

Treasury will require grantees to report to Treasury on the methods they have established to implement this prioritization of assistance and to publicly post a description of their prioritization methods, including on their program web page if one exists, by July 15, 2021.

23. ERA1 and ERA2 both allow for up to 10 percent of the funds received by a grantee to be used for certain housing stability services. What are some examples of these services?

ERA1 and ERA2 have different requirements for housing stability services.

Under ERA1, these funds may be used to provide eligible households with case management and other services related to the COVID-19 outbreak, as defined by the Secretary, intended to help keep households stably housed.

Under ERA2, these services do not have to be related to the COVID-19 outbreak.

For purposes of ERA1 and ERA2, housing stability services include those that enable eligible households to maintain or obtain housing. Such services may include housing counseling, fair

housing counseling, case management related to housing stability, housing related services for survivors of domestic abuse or human trafficking, legal services or attorney’s fees related to eviction proceedings and maintaining housing stability, and specialized services for individuals with disabilities or seniors that supports their ability to access or maintain housing. Grantees using ERA funds for housing stability services must maintain records regarding such services and the amount of funds provided to them.

24. Are grantees required to remit interest earned on ERA payments made by Treasury?

No. ERA payments made by Treasury to states, territories, and the District of Columbia are not subject to the requirement of the Cash Management Improvement Act and Treasury’s implementing regulations at 31 CFR part 205 to remit interest to Treasury. ERA payments made by Treasury to local governments, Tribes, and TDHEs are not subject to the requirement of 2 CFR 200.305(b)(8)–(9) to maintain balances in an interest-bearing account and remit payments to Treasury.

25. When may Treasury recoup ERA funds from a grantee?

Treasury may recoup ERA funds from a grantee if the grantee does not comply with the applicable limitations on the use of those funds.

26. May rental assistance be provided to temporarily displaced households living in hotels or motels?

Yes. The cost of a hotel or motel room occupied by an eligible household may be covered using ERA assistance within the category of certain “other expenses related to housing” (as described in FAQ 7) provided that:

- i. the household has been temporarily or permanently displaced from its primary residence or does not have a permanent residence elsewhere;
- ii. the total months of assistance provided to the household do not exceed the applicable time limit described in FAQ 10; and
- iii. documentation of the hotel or motel stay is provided and the other applicable requirements provided in the statute and these FAQs are met.

The cost of the hotel or motel stay would not include expenses incidental to the charge for the room.

Grantees covering the cost of such stays must develop policies and procedures detailing under what circumstances they would provide assistance to cover such stays. In doing so, grantees should consider the cost effectiveness of offering assistance for this purpose as compared to other uses. If a household is eligible for an existing program with narrower eligibility criteria that can provide similar assistance for hotel or motel stays, such as the HUD Emergency Solutions Grant program or FEMA Public Assistance, grantees should utilize such programs prior to providing similar assistance under the ERA program.

27. May a renter subject to a “rent-to-own” agreement with a landlord be eligible for ERA assistance?

A grantee may provide financial assistance to households that are renting their residence under a “rent-to-own” agreement, under which the renter has the option (or obligation) to purchase the property at the end of the lease term, provided that a member of his or her household:

- i. is not a signor or co-signor to the mortgage on the property;
- ii. does not hold the deed or title to the property; and
- iii. has not exercised the option to purchase.

Homeowners may be eligible for assistance under programs using funds under the Homeowner Assistance Fund, which was established by Treasury under the American Rescue Plan Act of 2021.

28. Under what circumstances may households living in manufactured housing (mobile homes) receive assistance?

Rental payments for either the manufactured home and/or the parcel of land the manufactured home occupies are eligible for financial assistance under ERA programs. Households renting manufactured housing and/or the parcel of land the manufactured home occupies may also receive assistance for utilities and other expenses related to housing, as detailed in FAQ 7 above. This principle also applies to mooring fees for water-based dwellings (houseboats).

29. What are the applicable limitations on administrative expenses?

Under ERA1, not more than 10 percent of the amount paid to a grantee may be used for administrative costs attributable to providing financial assistance and housing stability services to eligible households. Under ERA2, not more than 15 percent of the amount paid to a grantee may be used for administrative costs attributable to providing financial assistance, housing stability services, and other affordable rental housing and eviction prevention activities.

The revised award term for ERA1 issued by Treasury permits recipients to use funds provided to cover both direct and indirect costs. A grantee may permit a subrecipient to incur more than 10 or 15 percent, as applicable, of the amount of the subaward issued to that subrecipient as long as the total of all administrative costs incurred by the grantee and all subrecipients, whether as direct or indirect costs, does not exceed 10 or 15 percent, as applicable, of the total amount of the award provided to the grantee from Treasury.)

Further, the revised award term for ERA1 no longer requires grantees to deduct administrative costs charged to the award from the amount available for housing stability services. Rather, any direct and indirect administrative costs in ERA1 or ERA2 must be allocated by the grantee to either the provision of financial assistance or the provision of housing stability services. As required by the applicable statutes, not more than 10 percent of funds received by a grantee may be used to provide eligible households with housing stability services (discussed in FAQ 23). To the extent administrative costs are not readily allocable to one or the other of these categories,

the grantee may assume an allocation of the relevant costs of 90 percent to financial assistance and 10 percent to housing stability services.

Grantees may apply their negotiated indirect cost rate to the award, but only to the extent that the total of the amount charged pursuant to that rate and the amount of direct costs charged to the award does not exceed 10 percent of the amount of the award.

30. Should grantees provide tenants the option to apply directly for ERA assistance, rather than only accepting applications for assistance from landlords and owners of dwellings?

For ERA1, Treasury strongly encourages grantees to provide an option for tenants to apply directly for funding, rather than only accepting applications for assistance from landlords and owners of dwellings. For ERA2, grantees are required to allow tenants to apply directly for assistance, even if the landlord or owner chooses not to participate, consistent with the statutory requirement for the funds to be used to provide financial assistance to eligible households.

See FAQ 12 for additional information on grantees providing assistance to landlords and tenants.

31. How should grantees ensure that recipients use ERA funds only for permissible purposes?

Grantees should require recipients of funds under ERA programs, including tenants and landlords, to commit in writing to use ERA assistance only for the intended purpose before issuing a payment. Grantees are not required to obtain documentation evidencing the use of ERA program funds by tenants and landlords. Grantees are expected to apply reasonable fraud-prevention procedures and to investigate and address potential instances of fraud or the misuse of funds that they become aware of.

32. Can grantees prohibit landlords from pursuing eviction for nonpayment of rent for some period after receiving ERA assistance?

With respect to landlords that receive funds under an ERA program for prospective rent, the grantee must prohibit the landlord from evicting the tenant for nonpayment of rent during the period covered by the assistance.

In addition, with respect to landlords that receive funds for rental arrears, to promote the purpose of the program the grantee is encouraged to prohibit the landlord from evicting the tenant for nonpayment of rent for some period of time, consistent with applicable law.

In all cases, Treasury strongly encourages grantees to require landlords that receive funds under the ERA, as a condition of receiving the funds, not to evict tenants for nonpayment of rent for 30 to 90 days longer than the period covered by the rental assistance.

33. How can grantees work with other grantees to make their ERA programs consistent?

Treasury encourages different grantees to collaborate to develop consistent terms of their ERA programs, in order to reduce burdens for entities including landlords with properties in multiple jurisdictions.

34. Should a grantee require that a landlord initiate an eviction proceeding in order to apply for assistance under an ERA program?

No.

35. How can ERA assistance be used to support an eligible household moving to a new home?

ERA funds may be used to provide assistance to eligible households to cover prospective relocation assistance, rent, and utility or home energy costs, including after an eviction. Treasury encourages grantees to provide prospective support to help ensure housing stability. See FAQ 7 (regarding qualifying relocation expenses) and FAQ 10 (regarding time limits on assistance).

SEC. 3201. EMERGENCY RENTAL ASSISTANCE.

(a) FUNDING.—

(1) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$21,550,000,000, to remain available until September 30, 2027, for making payments to eligible grantees under this section—

(2) RESERVATION OF FUNDS.—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

(A) \$305,000,000 for making payments under this section to the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa;

(B) \$30,000,000 for costs of the Secretary for the administration of emergency rental assistance programs and technical assistance to recipients of any grants made by the Secretary to provide financial and other assistance to renters;

(C) \$3,000,000 for administrative expenses of the Inspector General relating to oversight of funds provided in this section; and

(D) \$2,500,000,000 for payments to high-need grantees as provided in this section.

(b) ALLOCATION OF FUNDS TO ELIGIBLE GRANTEEES.—

(1) ALLOCATION FOR STATES AND UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—The amount appropriated under paragraph (1) of subsection (a) that remains after the application of paragraph (2) of such subsection shall be allocated to eligible grantees described in subparagraphs (A) and (B) of subsection (f)(1) in the same manner as the amount appropriated under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 ([Public Law 116–260](#)) is allocated to States and units of local government under subsection (b)(1) of such section, except that section 501(b) of such subtitle A shall be applied—

(i) without regard to clause (i) of paragraph (1)(A);

(ii) by deeming the amount appropriated under paragraph (1) of subsection (a) of this Act that remains after the application of paragraph (2) of such subsection to be the amount deemed to apply for purposes of applying clause (ii) of section 501(b)(1)(A) of such subtitle A;

(iii) by substituting “\$152,000,000” for “\$200,000,000” each place such term appears;

(iv) in subclause (I) of such section 501(b)(1)(A)(v), by substituting “under section 3201 of the American Rescue Plan Act of 2021” for “under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021”; and

(v) in subclause (II) of such section 501(b)(1)(A)(v), by substituting “local government elects to receive funds from the Secretary under section 3201 of the American Rescue Plan Act of 2021 and will use the funds in a manner consistent with such section” for “local government elects to receive funds from the Secretary under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 and will use the funds in a manner consistent with such section”.

(B) PRO RATA ADJUSTMENT.—The Secretary shall make pro rata adjustments in the amounts of the allocations determined under subparagraph (A) of this paragraph for entities described in such subparagraph as necessary to ensure that the total amount of allocations made pursuant to such subparagraph does not exceed the remainder appropriated amount described in such subparagraph.

(2) ALLOCATIONS FOR TERRITORIES.—The amount reserved under subsection (a)(2)(A) shall be allocated to eligible grantees described in subsection (f)(1)(C) in the same manner as the amount appropriated under section 501(a)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 ([Public Law 116–260](#)) is allocated under section 501(b)(3) of such subtitle A to eligible grantees described under subparagraph (C) of such section 501(b)(3), except that section 501(b)(3) of such subtitle A shall be applied—

(A) in subparagraph (A), by inserting “of section 3201 of the American Rescue Plan Act of 2021” after “the amount reserved under subsection (a)(2)(A)”; and

(B) in clause (i) of subparagraph (B), by substituting “the amount equal to 0.3 percent of the amount appropriated under subsection (a)(1)” with “the amount equal to 0.3 percent of the amount appropriated under subsection (a)(1) of section 3201 of the American Rescue Plan Act of 2021”.

(3) HIGH-NEED GRANTEEES.—The Secretary shall allocate funds reserved under subsection (a)(2)(D) to eligible grantees with a high need for assistance under this section, with the number of very low-income renter households paying more than 50 percent of income on rent or living in substandard or overcrowded conditions, rental market costs, and change in employment since February 2020 used as the factors for allocating funds.

(c) PAYMENT SCHEDULE.—

(1) IN GENERAL.—The Secretary shall pay all eligible grantees not less than 40 percent of each such eligible grantee’s total allocation provided under subsection (b) within 60 days of enactment of this Act.

(2) SUBSEQUENT PAYMENTS.—The Secretary shall pay to eligible grantees additional amounts in tranches up to the full amount of each such eligible grantee’s total allocation in

accordance with a procedure established by the Secretary, provided that any such procedure established by the Secretary shall require that an eligible grantee must have obligated not less than 75 percent of the funds already disbursed by the Secretary pursuant to this section prior to disbursement of additional amounts.

(d) USE OF FUNDS.—

(1) IN GENERAL.—An eligible grantee shall only use the funds provided from payments made under this section as follows:

(A) FINANCIAL ASSISTANCE.—

(i) IN GENERAL.—Subject to clause (ii) of this subparagraph, funds received by an eligible grantee from payments made under this section shall be used to provide financial assistance to eligible households, not to exceed 18 months, including the payment of—

(I) rent;

(II) rental arrears;

(III) utilities and home energy costs;

(IV) utilities and home energy costs arrears; and

(V) other expenses related to housing, as defined by the Secretary.

(ii) LIMITATION.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with financial assistance provided under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 ([Public Law 116–260](#)), shall not exceed 18 months.

(B) HOUSING STABILITY SERVICES.—Not more than 10 percent of funds received by an eligible grantee from payments made under this section may be used to provide case management and other services intended to help keep households stably housed.

(C) ADMINISTRATIVE COSTS.—Not more than 15 percent of the total amount paid to an eligible grantee under this section may be used for administrative costs attributable to providing financial assistance, housing stability services, and other affordable rental housing and eviction prevention activities, including for data collection and reporting requirements related to such funds.

(D) OTHER AFFORDABLE RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are unobligated on October 1, 2022, for purposes in addition to those specified in this paragraph, provided that—

(i) such other purposes are affordable rental housing and eviction prevention purposes, as defined by the Secretary, serving very low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 ([42 U.S.C. 1437a\(b\)](#))); and

(ii) prior to obligating any funds for such purposes, the eligible grantee has obligated not less than 75 percent of the total funds allocated to such eligible grantee in accordance with this section.

(2) DISTRIBUTION OF ASSISTANCE.—Amounts appropriated under subsection (a)(1) of this section shall be subject to the same terms and conditions that apply under paragraph (4) of section 501(c) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 ([Public Law 116–260](#)) to amounts appropriated under subsection (a)(1) of such section 501.

(e) REALLOCATION OF FUNDS.—

(1) IN GENERAL.—Beginning March 31, 2022, the Secretary shall reallocate funds allocated to eligible grantees in accordance with subsection (b) but not yet paid in accordance with subsection (c)(2) according to a procedure established by the Secretary.

(2) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(3) PAYMENT OF REALLOCATED FUNDS BY THE SECRETARY.—The Secretary shall pay to each eligible grantee eligible for a payment of reallocated funds described in paragraph (2) of this subsection the amount allocated to such eligible grantee in accordance with the procedure established by the Secretary in accordance with paragraph (1) of this subsection.

(4) USE OF REALLOCATED FUNDS.—Eligible grantees may use any funds received in accordance with this subsection only for purposes specified in paragraph (1) of subsection (d).

(f) DEFINITIONS.—In this section:

(1) ELIGIBLE GRANTEE.—The term “eligible grantee” means any of the following:

(A) The 50 States of the United States and the District of Columbia.

(B) A unit of local government (as defined in paragraph (5)).

(C) The Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(2) ELIGIBLE HOUSEHOLD.—The term “eligible household” means a household of 1 or more individuals who are obligated to pay rent on a residential dwelling and with respect to which the eligible grantee involved determines that—

(A) 1 or more individuals within the household has—

(i) qualified for unemployment benefits; or

(ii) experienced a reduction in household income, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus pandemic;

(B) 1 or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and

(C) the household is a low-income family (as such term is defined in section 3(b) of the United States Housing Act of 1937 ([42 U.S.C. 1437a\(b\)](#))).

(3) INSPECTOR GENERAL.—The term “Inspector General” means the Inspector General of the Department of the Treasury.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given such term in section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 ([Public Law 116–260](#)).

(g) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2025.

(h) EXTENSION OF AVAILABILITY UNDER PROGRAM FOR EXISTING FUNDING.—Paragraph (1) of section 501(e) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 ([Public Law 116–260](#)) is amended by striking “December 31, 2021” and inserting “September 30, 2022”.



Agenda Briefing

Prepared by:	Lori Thomas	Title:	Assistant Co Administrator	
Department:	Administration	Division:		
Date Prepared:	July 06, 2021	Meeting Date:	July 13, 2021	
Legal Review	Elizabeth McLean via email	Date:	July 08, 2021	
Budget Review	James Hayes via email	Date:	July 08, 2021	
Finance Review	Stacey Hamm Via email	Date:	July 06, 2021	
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM		
Committee	Coronavirus Ad Hoc			
Subject:	American Rescue Plan Initial Proposal for the United States Treasury			

STAFF’S RECOMMENDED ACTION:

Staff recommends a motion to approve the initial proposal report for submission to the United States Treasury and the initial uses that are compliant with current US Treasury guidance.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

ARP funding must be used in accordance with guidance from the United States Treasury. Council will be updated as additional guidance and final rules for use are issued.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

Department of the Treasury

31 CFR Part 35

RIN 1505–AC77

Coronavirus State and Local Fiscal Recovery Funds

ACTION: Interim final rule.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The approval of an initial proposal for broad uses of the American Rescue Plan funds is necessary to meet the first reporting period required by the United States Treasury. The plan is meant to be as broad in scope as possible to allow the County flexibility in its allocation of funds as more up-to-date information and final rules are issued.

Once complete guidance is available, specific determinations on projects and allocations can be determined. In the initial phase, staff recommends funding of \$1,706,439 to lump sum agencies who experienced impacts and service increases due to COVID-19, and \$325,000 for the Richland County Recreation Commission for maintenance of the Parklane tennis courts to promote outdoor activities that emerged as safe activities during the pandemic.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. Richland County initial response report for American Rescue Plan allocations as required by US Treasury
2. ARP Considerations Presentation

AMERICAN RESCUE PLAN
FUNDING FOR RICHLAND COUNTY



Richland County's Proposal for
American Rescue Plan Funding
July 2021

LEONARDO BROWN
County Administrator



2020 Hampton St., Suite 4036
Columbia, SC 29204

LORI THOMAS
Assistant County Administrator



www.RichlandCountySC.gov



(803) 576-2100

EXECUTIVE SUMMARY

The County is working to develop a comprehensive plan to allocate funding received through the American Rescue Plan Act. The goal is to use funding in manner that will respond to the most urgent needs of the community, enabling emergence from the public health crisis in a strong, stable position for the its residents.

This coronavirus stimulus package includes funding for a national COVID-19 vaccination program, food assistance, emergency childcare, small businesses, unemployment benefits, rental assistance, and public transit funding to help schools re-open safely.

Most notably, the American Rescue Plan provides \$65 billion in direct aid to counties out of \$350 billion in emergency funding for state, local and territorial governments to support the essential local government workers who have been on the front-line of the pandemic response.

Given the magnitude of the opportunity that this funding represents, we believe it is critical for citizens of the community who have experienced the impacts of the COVID-19 crisis firsthand to have an opportunity to share their priorities with the County.

Richland County
Appropriation of the
American Rescue Plan

\$80,756,312

KEY COMPONENTS OF THE AMERICAN RESCUE PLAN

The American Rescue Plan document in its entirety is over 600 pages and provides \$1.9

trillion dollars of appropriations affecting every state and many federal agencies. The central focus for counties is the \$350 billion included for state and local assistance. The bill includes:

- \$200 billion for states & territories – allocated based on unemployment levels
- \$130 billion for counties and all other municipalities
 - \$65B for counties – allocated based on population, \$65B for all other municipalities—allocated on a modified CDBG formula
- \$20 billion for Native American tribes

ELIGIBLE USES

- Response to the public health emergency with respect to COVID-19 or its negative economic impacts, including assistance to households, small businesses and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality
- Respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work.
- Provision of government services to the extent of the reduction in revenue of such state/county/locality
- Investment in water, sewer, or broadband infrastructure



REQUIREMENTS TO RECEIVE THE FUNDING



- Local government (state) must certify that it needs federal assistance, and
- That the local government (state) will use the funds for the designated purposes defined under the bill.
- Fifty (50) percent of county funds would be delivered within 60 days of Treasury receipt of certification.
- Treasury may offer further guidance following a period of feedback through July 16, 2021.
- \$83 billion to support multiple employer pension plans experiencing fiscal shortfalls.

RICHLAND COUNTY PROPOSED CONSIDERATIONS FOR FUND USE

Richland County continues to consider allowable opportunities for use of the \$80,576,312 allocated to the county. Options considered would benefit citizens throughout the County to provide immediate and future opportunities to ensure mitigation of the COVID-19 pandemic. In considering opportunities, the County seeks to respond with measures that are within the guidance of the provision of funding:

- To allocate resources for mental health, including suicide, burnout, special needs, substance abuse, etc.
- To provide assistance with homelessness services and support.
- To address community behavioral health needs made worse by COVID-19.

- To evaluate the provision of broadband infrastructure throughout the County.
- To review the possibilities of providing assistance to nonprofits to address community impacts of the pandemic.
- To improve Richland County infrastructure, which includes but is not limited to water, sewer, flood control, drainage, etc.
- To evaluate the replacement of public sector revenue loss and provide funding for those whose jobs were essential in responding to the public health emergency.
- To consider measures to reverse the negative impact of the pandemic on the business community.
- To access and review the best method to assist equity-focus services in the disproportionately impacted areas of the county.

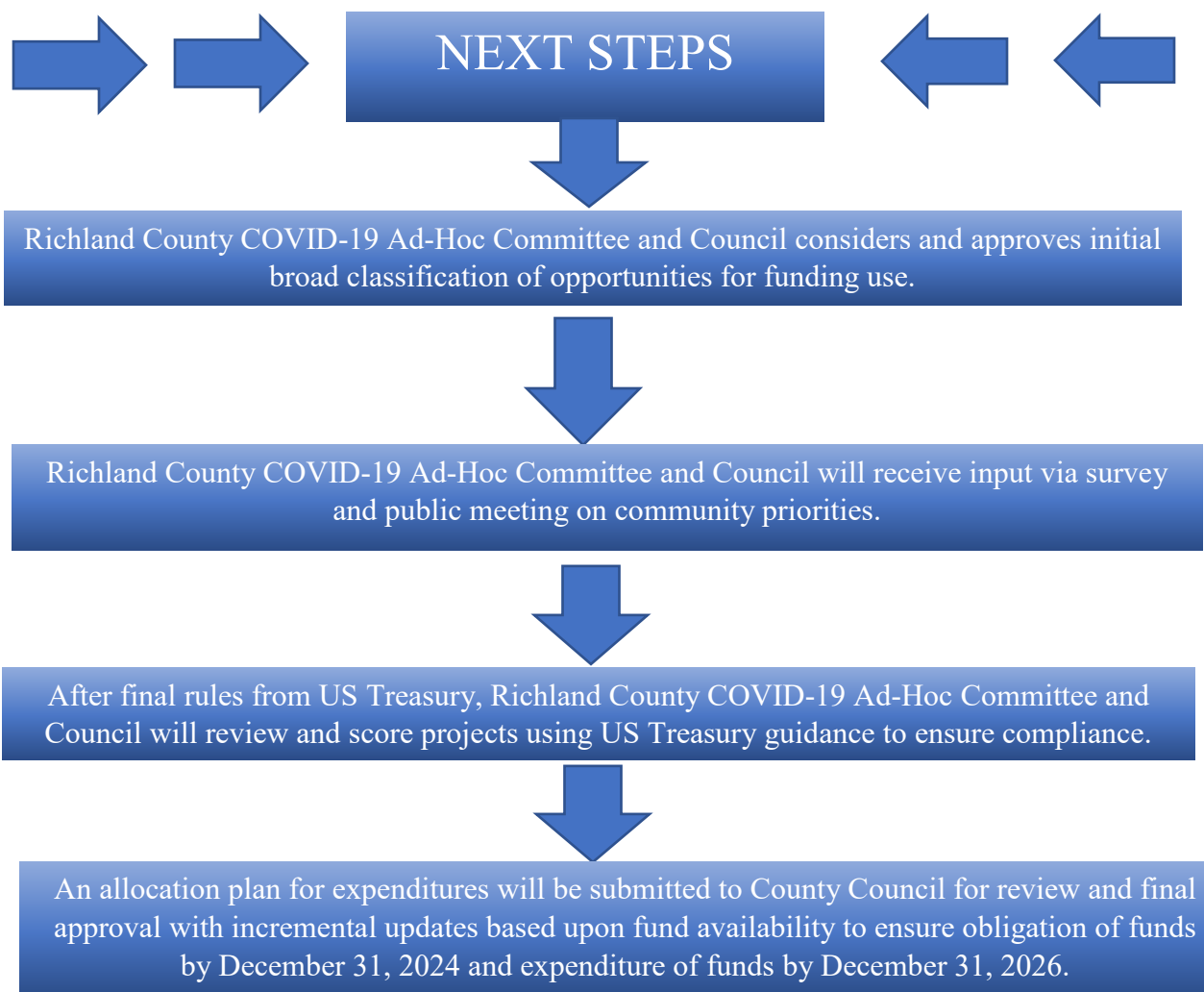
PERIOD OF PUBLIC INPUT

Richland County is committed to hearing opinions from its citizens on uses of the American Rescue Plan funds. The public input period began on June 26 and will continue until August 25, 2021. A public meeting to accept comments will be held July 19, 2021 to hear from those who would rather speak than send in their opinions.

Council will consider these comments as they set priorities for use of the American Rescue Plan funds.

Funds Allocation to Date

In the initial phase, staff recommends funding of \$1,706,439 to lump sum agencies who experienced impacts and service increases due to COVID-19, and \$325,000 for the Richland County Recreation Commission for maintenance of Parklane tennis courts to promote outdoor activities that emerged as safe activities during the pandemic. A list of sub recipients is in Appendix A.



Timeline



*** Note: These are initial phase dates and are subject to change based on Federal guidance.**

Summary

The COVID-19 pandemic brought about unexpected consequences to the operation of the Richland County government including:

- Reduced local government revenues, especially sales tax, but also hotel occupancy taxes, mortgage-recording taxes, among other local fees;
- Higher spending necessary to respond to the health emergency;
- The loss of state reimbursement; and

The potential of significant losses for small businesses on our main streets threatened jobs and the tax base of the community and continues to cause concern as our County recovers.

From the onset, Richland County has participated in testing, tracing and quarantining operations and provided PPE to first responders and community members at large. Small business grant programs administered by the County helped the economy begin reopening safely in a modified fashion as our country waited for vaccine approval and availability. Upon availability, the County provided support to enable distribution of vaccines to essential workers and the general population of the Richland County and surrounding area.

All of these efforts were embraced to support Richland County citizens in a time of crisis even as the county's own viability was threatened by:

- Declining local revenues as tourism, business related fees and courts and the associated costs ceased;
- Costs increased for services in response to the health emergency; and
- Business for many in the community continue to modify operations with ongoing impacts that may not fully be realized

In response to this unprecedented economic threat, Richland County have been consistent in their call for direct federal aid. The American Rescue Plan is a key component in addressing the challenges that face counties as they work to mitigate the pandemic and its negative impacts on local economies.

Appendix A

Lump Sum Distribution Sub Recipients

SUB RECIPIENT	ALLOCATION
Antioch Senior Center	\$40,000
Capital Senior Center/Lourie Center	\$180,000
Clemson University Extension	\$46,663
Columbia Urban League	\$100,000
Communities in Schools	\$70,000
Greater Columbia Community Relations	\$95,250
Palmetto AIDS Life Support	\$70,000
SC HIV AIDS Council	\$71,480
Senior Resources	\$548,046
Transitions Homeless Center	\$200,000
Wiley Kennedy	\$60,000
St John Baptist Church	\$75,000
Mental Illness Recovery Center	\$150,000

RECOMMENDATIONS FOR AMERICAN RESCUE PLAN FUND ALLOCATIONS



RICHLAND COUNTY ALLOCATION

- Richland County's Allocation of American Rescue Plan funding is \$80,576, 312.
- \$40,288,156 was received in May, 2021.
- \$40,288,156 should be received in May, 2022.



ELIGIBLE FUND USES

- On May 18, 2021, the US Treasury issued interim final rules for use of ARP funds.
- Treasury is accepting questions and feedback on uses until July 16, 2021.
- Updated frequently asked questions are issued periodically during the feedback period.
- After July 16, 2021, final rules for use will be issued.



ELIGIBLE FUND USE

- **Support public health response**: Fund COVID-19 mitigation efforts, medical expenses, behavioral health care and certain county public health, public safety, human services and other related staff
- **Address negative economic impacts**: Respond to economic harms to workers, families, small businesses, impacted industries and rehiring of public sector workers (including county staff)
- **Replace public sector revenue loss**: Use funds to provide government services to the extent of the reduction in revenue experienced during the pandemic – *this provision allows a much broader use of funds*



ELIGIBLE FUND USE

- **Premium pay for essential workers:** Offer additional compensation, up to \$13 per hour in additional wages, to those – both county employees and other essential workers in the community – who have faced and continue to face the greatest health risks due to their service.
- Counties should prioritize low- and moderate-income persons, with additional written justification needed for workers above 150 percent of the residing state’s average annual wage for all occupations or their residing county’s average annual wage, whichever is higher. *Funds can be used retroactively back to January 27, 2020.*
- **Water, sewer and broadband infrastructure:** Make necessary investments to improve access to clean drinking water, invest in wastewater and stormwater infrastructure and provide unserved or underserved locations with new or expanded broadband access



KEY DATES FOR CONSIDERATION

- FUNDS MAY COVER COSTS FROM MARCH 3, 2021 THROUGH DECEMBER 24, 2024
- The covered period begins March 3, 2021 and ends on December 31, 2024, with *a few important distinctions and exceptions to the covered period*:
 - Funds must be **INCURRED** (i.e. obligated) by December 31, 2024
 - Funds must be **EXPENDED** with all **WORK PERFORMED** and **COMPLETED** by December 31, 2026



KEY DATES FOR CONSIDERATION

- INTERIM REPORTS
- Counties are required to submit one Interim Report, which will include the county's expenditures by category at the summary level
- The Interim Report will cover spending from the date the county receives Funds to July 31, 2021
 - The Interim Report will include broad plans for spending by the County.
 - *The Interim Report is due by August 31, 2021*



HOW FUNDS CANNOT BE USED

- Funds cannot be used to reduce taxes
- Funds cannot be used to fund pension plans
- Funds cannot be saved for rainy day fund or reserves
- **Funds cannot be used for non-federal match** when barred by another federal regulation or statute, including EPA's Clean Water SRF, Drinking Water SRF, Economic Development Administration or Medicaid



HOW FUNDS CANNOT BE USED

- Funding debt service, including costs associated with tax anticipation notes
- Legal settlement or judgements
- General infrastructure spending outside of water, sewer and broadband investments or above the amount allocated under “revenue loss” recoupment provision
- General economic development or workforce development activities, unless they directly address negative economic impacts of the public health emergency or related to the “revenue loss” provision



ALLOWABLE FUND USES

- Support Public Health Response
- Address Negative Economic Impacts
- Premium Pay For Essential Workers
- Payroll Expenses For Public Health & Safety Employees
- Replace Public Sector Revenue Loss
- Water & Sewer Infrastructure
- Broadband Infrastructure

*Most flexible funds Richland County's Lost Revenue Estimate - \$28 million



CITIZEN INPUT

- The County has solicited citizen input on funding uses
 - Survey – online and paper available
 - E-mail
 - Public meeting - July 19, 2021 – 3:00 pm



RICHLAND COUNTY CONSIDERATIONS

- Per Council Motion, Lump Sum Agencies eligible uses are \$1,706,439.
- Per Council Motion, RCRC funding for tennis court maintenance \$325,000
- Premium pay for essential workers are recommended at approximately \$4,000,000
- Building maintenance at 2000/2020 recommended
 - HVAC \$2.95 million
 - Roof \$2.10 million
- Water and Sewer projects – to forego issuance of additional debt
- Broadband projects – Collaborative effort with State



RICHLAND COUNTY CONSIDERATIONS (IF ELIGIBLE)

- Emergency Operations Improvements
- Investment in staff



FLEXIBILITY

- The County has the ability to modify its plan for spending as guidance and project costs are adjusted to ensure that all available funds are committed and expended by the program deadlines.





QUESTIONS